

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1176207-0

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Memorandum



Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Legal Coun. _____
 Off. Cong. & Public Affs. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Telephone Rm. _____
 Director's Sec'y _____

To : Assistant Director
 Administrative Services Division
 Attn: Forfeiture and Seized Property Unit

Date JUN 27 1985

From : *JAMP*
 Legal Counsel

Subject : ADMINISTRATIVE FORFEITURE RECOMMENDATION
 TITLE 21, U.S.C., SECTION 881
 ANTHONY F. PIPITO, AKA; et al.
 OCDE TASK FORCE - NARCOTICS
 OO: MILWAUKEE (245A-95)
 SEIZURE NUMBER: 3470-85-013
 SEIZING OFFICE: MILWAUKEE

PURPOSE: To provide the opinion of Legal Counsel Division (LCD) on whether the property described herein may be administratively forfeited.

RECOMMENDATION: That the Property Management Officer, Administrative Services Division, sign the Proclamation of Forfeiture for the described property as authorized by Title 21, Code of Federal Regulations (CFR), § 1316.77(b).

APPROVED: _____
 Director _____
 Exec AD-Adm. _____
 Exec AD-Inv. _____
 Exec AD-LES _____
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Legal Coun. _____
 Off. of Cong. & Public Affs. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____

SYNOPSIS AND DETAILS:

1. Property Summary

On 11/30/84 property described as 6,561 shares of Telefonos De Mexico stock, valued at \$2,690.01, were seized for civil administrative forfeiture at Milwaukee, Wisconsin, pursuant to Title 21, United States Code (USC), § 881(a)(6).

2. Method of Seizure

incident to arrest;
 Title 21, USC, § 881(b)(1)

1 -
 1 -
 1 - Legal Forfeiture Unit *Detached*

DME:tkg (4)

(CONTINUED - OVER)

JUL 25 1985

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64 DEC 4 1985

FBI/DOJ

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

- X incident to search under
a search warrant;
Title 21, U.S.C., § 881(b) (1)
- by seizure warrant;
Fed. R. Crim. P. 41(b)
- on probable cause to believe the
property is subject to civil or
criminal forfeiture under the
Controlled Substances Act;
Title 21, U.S.C., § 881(b) (4)
- by adoption

3. Facts Demonstrating the Illegal Use

Investigation revealed that the captioned subject was a cocaine trafficker who distributed narcotics from his residence. The subject was overheard estimating his net annual profit at \$1.2 million and the investigation failed to disclose any legitimate source of income. To the contrary, investigation revealed that the subject was paid \$500 a week in salary [REDACTED]

[REDACTED] On 11/30/84 a Federal search warrant was executed at the subject's residence and large amounts of cash and securities were seized. The subject placed most of the securities [REDACTED]

[REDACTED] The defendant 6,561 shares of Telefonos De Mexico stock had been placed in [REDACTED]

[REDACTED]

[REDACTED]

b3
b6
b7c

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

4. Notice

A. Actual

Notice of the seizure has been sent by registered mail to the last known addresses of all known parties who may have a legal or possessory interest in the property. Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950).

B. Constructive

Notice of seizure for forfeiture has been published on 4/7/85, 4/14/85, and 4/21/85 in The Milwaukee Journal, Milwaukee, Wisconsin, describing the property and advising parties who wish to contest the forfeiture to file a claim and bond by 5/6/85. Title 19, USC, § 1607; Title 21, CFR, § 1316.75.

5. Claim and Bond

At least twenty days have elapsed since the date of first publication and no claim and bond have been received. Title 19, USC, § 1608; Title 21, CFR, § 1316.77.

6. Petition

_____ A petition for remission or mitigation has been received.

 X No petition for remission or mitigation has been received.

7. Other Comments

None.

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

CONCLUSION

LCD recommends that the property described herein be declared forfeited since the following criteria have been met:

1. the property seized belongs to a class of property named as subject to forfeiture under the Controlled Substances Act and it falls within the jurisdictional monetary limits or is a prohibited article or transporting conveyance subject to administrative forfeiture in Title 19, U.S.C., Section 1607, and

2. the method of seizure is authorized, and

3. the facts demonstrate that the property was or was intended to be used in violation of the Act, and

4. reasonable notice has been given, and

5. twenty days have elapsed from the date of first publication in a newspaper of general circulation in the judicial district of seizure, and no claim and bond have been filed.

OUTSIDE SOURCE

June 17, 1985

REGISTERED RETURN RECEIPT

Heritage Bank
177 East Silver Spring Drive
Milwaukee, Wisconsin 53217

ANTHONY F. PIPITO
NARCOTICS MATTER

Gentlemen:

You are hereby informed that on December 1, 1984, at Milwaukee, Wisconsin, the property described below was seized by Agents of the Federal Bureau of Investigation (FBI) for violation of Title 21, United States Code (U.S.C.), Section 881.

\$105,000 in U. S. Currency

Steps are being taken to forfeit this property pursuant to Title 19, U.S.C. 1602-1619 and Title 28, Code of Federal Regulations (C.F.R.) 9.1-9.7 and this matter has been referred to the Office of the United States Attorney for action.

Should you choose to file a petition for the remission or mitigation of this forfeiture, you should file it in triplicate, in a timely manner. Your submission should conform to the requirements outlined in Title 28, C.F.R., Section 9.1-9.7. Proof of interest in the property must be submitted with your petition which should be addressed to the Attorney General of the United States and submitted to the Office of the United States Attorney for the judicial district where the seizure took place. This matter has been assigned Control Number 3470-85-010 which should be referenced in all correspondence regarding this matter. To expedite processing of the petition, you are also requested to forward a copy to FBI, Room 700, Federal Office Building and U. S. Courthouse, 517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, Attention: Forfeiture Assistant.

DE-26

245-764-7

MAILED 1
JUL 2 1985
Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

APPROVED:

Adm. Servs. _____
Crim. Inv. _____

Laboratory _____

Sincerely yours, _____

Legal Coun. _____

Off. of Cong. & Public Affs. _____

Rec. Mgnt. _____

Tech. Servs. _____

Training _____

Unit Chief _____

Forfeiture and Seized Property Unit

PVK:ep (5) 71

MAIL ROOM

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AIRTELDate: 8/16/85**FEDERAL BUREAU OF INVESTIGATION
Forfeiture/Seized Property**

To: Director, FBI (245-764)

Entry (Check one)

From: SAC, MILWAUKEE (245A-95 Sub GGG) (P)

☒ New CaseAttention: Administrative Services Division/PPMS
Forfeiture/Seized Property Group☐ Change or AdditionalSubject: ANTHONY F. PIPITO; ET AL; NARCOTICS MATTER; OCDE TASK FORCE CASE; OO: MI
(Seizure #) 3470-85-036

Property Seized:

☒ FD-635 Record of Seized Property (2 copies)☐ Car ☐ Truck☐ FD-302 Probable Cause for Seizure☐ Boat ☐ Plane☐ Quick Release Documentation☒ Cash Amount \$ ☐ Other☐ Claimants Petition ☐ Claim and Cost Bond☐ Copy of Court Pleading☐ Complaint ☐ Final Decree☐ FD-272 Petition Investigation☐ Motion ☐ Other☐ Other**Subsequent Materials**One application for search warrantOne laboratory reportOne search warrantTwo FD-302'sOne search inventorySix Title III transcripts

2-Bureau (245-764) (Enc. 12)

2-Milwaukee

(1- 245A-95 Sub GGG)

(1- Tickler 3470-85-036)

GWH:lalc

(4)

DE-235

ENC. DEMO FILE

N-207

AUG 20 1985

FEDERAL BUREAU OF INVESTIGATION

Reporting Office MILWAUKEE	Office of Origin MILWAUKEE	Date 6/19/85	Investigative Period 10/26/84 - 11/30/84
Title of Case ANTHONY F. PIPITO, aka; ET AL		Report made by SA 	Typed By: pmr
		Character of Case CIVIL INVESTIGATION 3470-85-021 OCDE	

SUMMARY

CIVIL FORFEITURE REPORT

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FD-634 to the Bureau, dated 5/9/85.

-P-P-

ENCLOSURES

Enclosed with the report are one copy of search warrant for
 and one copy of "Declaration in Support of Request to
 Proceed in Forma Pauperis."

Approved <i>[Signature]</i> Special Agent in Charge	Do not write in spaces below	
Copies made:	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> 764-11 </div>	
② - Bureau (Enc. 2) (Attn: Forfeiture/Seized Property Group) 1 - USA, Milwaukee (Enc. 8) 2 - Milwaukee (245A-95 Sub GGG-38)	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> 9-4 1385 </div>	

Notations:

COVER PAGE



FEDERAL BUREAU OF INVESTIGATION

CIVIL FORFEITURE REPORT OF INVESTIGATION CONCERNING

CIVIL FORFEITURE 3470-85-021



UNITED STATES CURRENCY

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b7C

Copy to: 1 - United States Attorney, Milwaukee

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DETAILS	G
[REDACTED]	G - 3 (a)
FD-302'S RELATING [REDACTED]	G - 5

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b7C

Report of: SA [REDACTED]
Date: JUNE 19, 1985

Office: MILWAUKEE

b6
b7C

Field Office File # MI 245A-95 SUB GGG

Bureau File # 12-9808

Narrative of Offense:

On November 30, 1984, Special Agents of the Federal Bureau of Investigation (FBI), following the issuance of a search warrant by the United States District Court, Eastern District of Wisconsin (EDW), searched the residence of [REDACTED] located at [REDACTED]

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[REDACTED] Wisconsin. Special Agents located [REDACTED]

[REDACTED] Also located in [REDACTED] were numerous [REDACTED]

Based on court authorized electronic surveillance of [REDACTED]
[REDACTED] it was confirmed that [REDACTED]

B

MI 245A-95 SUB GGG

ENCLOSURES

- 1) One copy of search warrant for [REDACTED]
[REDACTED] Wisconsin;

- 2) One copy of the following Title III conversations:



The following conversations summarized in the body of the report are not transcribed at this time and are, therefore, not enclosed:

b3
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- 3) One copy of [REDACTED] declaration regarding [REDACTED]

MI 245A-95 SUB GGG

DESCRIPTION OF PROPERTY

The property consists of [REDACTED] from the person of [REDACTED]
[REDACTED]

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MI 245A-95 SUB GGG

WITNESSES

SA

-

Arrested

interviewed

b6
b7C

SA

-

Located

SA

-

Located

MONITOR AGENTS

Agent

Conversation

b3
b6
b7C

MI 245A-95 SUB GGG

EVIDENCE

1) [redacted] seized from [redacted]

2) Transcripts and recordings of following conversations between

b3
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MI 245A-95 SUB GGG

DETAILS:

The following are conversations between

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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MI 245A-95 SUB GGG

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

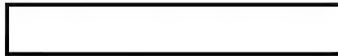
[REDACTED]

[REDACTED]

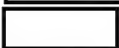
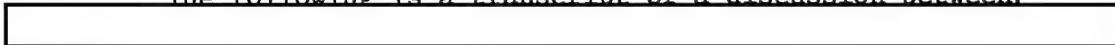
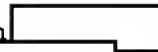
MI 245A-95 SUB GGG



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The following is a transcript of a discussion between



This conversation occurred



MI 245A-95 SUB GGG

The following FD-302s reflect searches of [redacted] residence,
wherein [redacted] As indicated in the FD-302s,
[redacted]

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 12/12/84

Pursuant to a search warrant issued in the Eastern District of Wisconsin on November 30, 1984, by Chief Judge JOHN W. REYNOLDS, a search of the residence located at [REDACTED] Wisconsin, was conducted by Special Agents of the Federal Bureau of Investigation (FBI), Department of Criminal Investigation (DCI), Wisconsin, and Milwaukee County Sheriff's Office (MCSO).

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b7C

Seized for evidentiary purposes was the following U.S. currency:

1. [REDACTED]
[REDACTED]

2. [REDACTED] - see attached photocopy page 14); U.S. currency was seized from the person of [REDACTED] at said address.

Attached and considered part of this FD-302 are photocopies of referenced U.S. currency.

Investigation on 11/30/84 at Milwaukee, Wisconsin File # MI 12A-211 Sub 00-8
by SA [REDACTED] cal Date dictated 12/6/84

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 12/12/84

[redacted]
[redacted]
Wisconsin, was arrested by Special Agent (SA) [redacted]
pursuant to a warrant issued by Judge JOHN W. REYNOLDS. The
arrest was effected without incident.

[redacted] was read the form entitled "Interrogation;
Advice of Rights" by SA [redacted] and stated that she under-
stood her rights. [redacted] declined to talk to or be questioned
by SA [redacted] or SA [redacted]

[redacted] was taken from [redacted]
[redacted] to the Bureau of Identification at the
Milwaukee Police Department, located at 749 West State Street,
Milwaukee, Wisconsin. [redacted] was transported in a government-
owned vehicle by SA [redacted] an Agent
with the State of Wisconsin, Division of Criminal Investigation.

Following processing at the Bureau of Identification,
[redacted] was brought to the Waukesha County Jail at Moreland
Boulevard and County F by SA [redacted] and Agent [redacted]. Custody
of [redacted] was subsequently transferred to the Waukesha County
Sheriff's Department.

Investigation on 11/30/84 at Milwaukee, Wisconsin File # MI 12A-211 -

by SA [redacted] /cal) Date dictated 12/6/84

Sub 00-4 b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1

12/12/84

Date of transcription

Pursuant to a search warrant issued in the Eastern District of Wisconsin, on November 30, 1984, by CHIEF JUDGE JOHN W. REYNOLDS, a search of the residence located at [redacted] Wisconsin, was conducted by Special Agents of the Federal Bureau of Investigation (FBI); [redacted] of the Department of Criminal Investigation (DCI); [redacted] of the Milwaukee County Sheriff's Office; and [redacted] of the Milwaukee Police Department, Detective Bureau. The search commenced at 9:17 PM, November 30, 1984, and was terminated at 11:35 PM, November 30, 1984.

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b7C

The following items were seized for evidentiary purposes:

b6
b7C

	<u>Item</u>	<u>Agent/Officer</u>
5P-1	[redacted]	SA [redacted] SA [redacted]
5P-2	[redacted] [redacted]	SA [redacted]
	[redacted]	
	<u>Item</u>	<u>Agent/Officer</u>
5R-K-2	[redacted]	SA [redacted] MSCO [redacted]

Investigation on 11/30/84 at Milwaukee, Wisconsin File # MI 12A-211 SUB 00 -

by SAs [redacted] Date dictated 12/5/84
(JS:pmr)

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b7C

MI 12A-211 SUB 00

Items seized in search

2

Continuation of interview of _____

Page

b6
b7C

<u>Item</u>	<u>Agent/Officer</u>
5R-K-5	SA [redacted] SA [redacted]
5R-K-6	SA [redacted]
5R-K-8	SA [redacted] MCSO [redacted]
5R-K-9	SA [redacted] MCSO [redacted]
5R-K-11	SA [redacted] MCSO [redacted]
5R-K-12	SA [redacted] MCSO [redacted]
5R-K-13	SA [redacted] MCSO [redacted]
5R-K-14	SA [redacted] MCSO [redacted]
5R-K-16	SA [redacted] MCSO [redacted]
5R-K-17	SA [redacted] MCSO [redacted]
5R-K-18	SA [redacted] MCSO [redacted]
5R-K-19	SA [redacted] MCSO [redacted]

MI 12A-211 SUB OO

Items seized in search

Continuation of interview of

, Page 3

<u>Item</u>	<u>Agent/Officer</u>
5R-K-20	SA [redacted] MCSO [redacted]
5R-K-21	SA [redacted] MCSO [redacted]
5R-K-22	SA [redacted] MCSO [redacted]
5R-K-23	SA [redacted] MCSO [redacted]
5R-K-25	SA [redacted] MCSO [redacted]
5R-K-26	SA [redacted] MCSO [redacted]
5R-K-27	SA [redacted] MCSO [redacted]
5R-K-28	SA [redacted] MCSO [redacted]
5R-K-29	SA [redacted] MCSO [redacted]
5R-K-30	SA [redacted] MCSO [redacted]
5R-K-31	SA [redacted] MCSO [redacted]

b6
b7c

MI 12A-211 SUB 00

Items seized in search

Continuation of interview of

Page

4

<u>Item</u>	<u>Agent/Officer</u>
5R-K-32	SA [redacted] MCSO [redacted]
5R-K-33	SA [redacted] MCSO [redacted]
5R-K-34	SA [redacted] MCSO [redacted]
5R-K-35	SA [redacted] MCSO [redacted]
5R-K-36	SA [redacted] MCSO [redacted]
5R-K-37	SA [redacted] MCSO [redacted]
5R-K-38	SA [redacted] MCSO [redacted]
5R-K-39	SA [redacted] MCSO [redacted]
5R-K-40	SA [redacted] MCSO [redacted]
5R-K-21	SA [redacted] MCSO [redacted]
[redacted]	
5R-BR-1	SA [redacted]

b6
b7C

Continuation of interview of Items seized in searchPage 5

	<u>Item</u>	<u>Agent/Officer</u>
5R-BR-3		SA
5R-BR-4		SA
5R-BR-7		SA SA
5R-BR-8		SA SA
5R-H-15		SA SA
5R-BH-24		SA MCSO

b6
b7C

Evidence seized was coded as follows:

5: Residence -

WISCONSIN

MI 12A-211 SUB 00

Items seized in search

Continuation of interview of _____

Page 6

A sketch of of said address is being made a part of this file. Items seized are being maintained as evidence.

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b7C

MI 245A-95 SUB GGG

A review of [redacted] "Declaration in Support of Request to
Proceed in Forma Pauperis" states [redacted]
[redacted]

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b7C

Memorandum



Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Intell. _____
 Laboratory _____
 Legal Coun. _____
 Plan. & Insp. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Off. of Cong. & Public Affs. _____
 Telephone Rm. _____
 Director's Sec'y _____

To : Assistant Director
 Administrative Services Division
 Attn: Forfeiture and Seized Property Unit

Date JUL 2 1985

From : Legal Counsel

Subject : ADMINISTRATIVE FORFEITURE RECOMMENDATION
 TITLE 21, U.S.C., SECTION 881
ANTHONY E. PIPITO, AKA; et al.
 OCDE TASK FORCE - NARCOTICS
 OO: MILWAUKEE (245A-95)
 SEIZURE NUMBER: 3470-85-008
 SEIZING OFFICE: MILWAUKEE

PURPOSE: To provide the opinion of Legal Counsel Division (LCD) on whether the property described herein may be administratively forfeited.

RECOMMENDATION: That the Property Management Officer, Administrative Services Division, sign the Proclamation of Forfeiture for the described property as authorized by Title 21, Code of Federal Regulations (CFR), § 1316.77(b).

APPROVED:

Director

AD-Adm.

Exec AD-Inv.

Exec AD-LES

Adm. Servs.

Crim. Inv.

Ident.

Inspection

Intell.

Laboratory

Legal Coun.

Off. of Cong. & Public Affs.

Rec. Mgnt.

Tech. Servs.

Training

SYNOPSIS AND DETAILS:

1. Property Summary

On 11/30/84 property described as \$66,337 in U.S. currency was seized for civil administrative forfeiture at Milwaukee, Wisconsin, pursuant to Title 21, United States Code (USC), § 881(a)(6).

2. Method of Seizure

incident to arrest;

Title 21, USC, § 881(b)(1)

JUL 25 1985

1 - [Redacted]
 1 - [Redacted]
 1 - Legal Forfeiture Unit

DME:tkc (4)

(CONTINUED - OVER)

JUL 26 1985

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

- X incident to search under
a search warrant;
Title 21, U.S.C., § 881(b)(1)
- by seizure warrant;
Fed. R. Crim. P. 41(b)
- on probable cause to believe the
property is subject to civil or
criminal forfeiture under the
Controlled Substances Act;
Title 21, U.S.C., § 881(b)(4)
- by adoption

3. Facts Demonstrating the Illegal Use

Investigation revealed that the captioned
subject was involved in cocaine trafficking and that he
frequently sold cocaine from his residence. In
intercepted telephone calls [REDACTED]

[REDACTED]

to provide him with a weekly salary of \$500 so that he
[REDACTED] On 11/30/84
FBI Special Agents conducted a search of the subject's
residence and seized the defendant currency.

4. Notice

A. Actual

Notice of the seizure has been sent by
registered mail to the last known addresses of all
known parties who may have a legal or possessory
interest in the property. Mullane v. Central Hanover
Bank & Trust Co., 339 U.S. 306 (1950).

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

B. Constructive

Notice of seizure for forfeiture has been published on 4/7/85, 4/14/85, and 4/21/85 in The Milwaukee Journal, Milwaukee, Wisconsin, describing the property and advising parties who wish to contest the forfeiture to file a claim and bond by 5/6/85. Title 19, USC, § 1607; Title 21, CFR, § 1316.75.

5. Claim and Bond

At least twenty days have elapsed since the date of first publication and no claim and bond have been received. Title 19, USC, § 1608; Title 21, CFR, § 1316.77.

6. Petition

_____ A petition for remission or mitigation has been received.

 X No petition for remission or mitigation has been received.

7. Other Comments

None.

CONCLUSION

LCD recommends that the property described herein be declared forfeited since the following criteria have been met:

1. the property seized belongs to a class of property named as subject to forfeiture under the Controlled Substances Act and it falls within the

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

jurisdictional monetary limits or is a prohibited article or transporting conveyance subject to administrative forfeiture in Title 19, U.S.C., Section 1607, and

2. the method of seizure is authorized, and

3. the facts demonstrate that the property was or was intended to be used in violation of the Act, and

4. reasonable notice has been given, and

5. twenty days have elapsed from the date of first publication in a newspaper of general circulation in the judicial district of seizure, and no claim and bond have been filed.

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CHANGED TO

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REGISTER'S OFFICE } CS
Milwaukee County, WI
RECORDED AT 2:30 PM

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REEL 1559 IMAGE 1414
REGISTER OF DEEDS

CONDOMINIUM DECLARATION
FOR
DIAMOND TOWER CONDOMINIUM

THIS DECLARATION is made pursuant to the Condominium Ownership Act of the State of Wisconsin, Chapter 703 of the Wisconsin Statutes (hereinafter sometimes referred to as the "Act") this 22 day of August, 1983, by The Hutter Construction Co., a Wisconsin Corporation (hereinafter referred to as "Declarant").

1. STATEMENT OF DECLARATION.

The purpose of this Declaration is to amend and restate in its entirety that certain Condominium Declaration recorded on September 8, 1981, in the Office of the Register of Deeds for Milwaukee County, Wisconsin in Reel 1400, Images 1280 to 1315, inclusive, as Document 5499087. This amended and restated Declaration shall in all respects replace and supersede the prior declaration. This Declaration shall submit the lands hereinafter described and the improvements constructed or to be constructed thereon to the condominium form of ownership in the manner provided by the Act and this Declaration.

Declarant hereby declares that as of the date hereof it is the sole owner of the real property described in Section 3 hereof, together with all buildings and improvements thereon or to be constructed thereon (hereinafter referred to as "the property") which is hereby submitted to the condominium form of ownership as provided in the Act and this Declaration, and which property shall be held, conveyed, devised, leased, encumbered, used, improved, and in all respects otherwise affected subject to the provisions, conditions, covenants, restrictions and easements of this Declaration and the Act. All provisions hereof shall be deemed to run with the land and shall constitute benefits and burdens to the Declarant, its successors and assigns, and to all parties hereafter having any interest in the property.

2. NAME AND ADDRESS.

The aforesaid real estate and all buildings and improvements thereon shall be known as DIAMOND TOWER CONDOMINIUM. The address of the Condominium is 1633 North Prospect Avenue, Milwaukee, Wisconsin 53202.

3. LEGAL DESCRIPTION.

The following described real estate, also described in the Condominium Plat attached hereto, is hereby subjected to the provisions of this Declaration:

Parcel 1:

That part of Lot Twelve (12), in Block One Hundred Ninety-eight (198), in Roger's Addition to Milwaukee, in the South East One-quarter (1/4) of Section Twenty-one (21), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee,

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245-701-13X

State of Wisconsin, bounded and described as follows: Beginning at a point on the Northwestern line of North Prospect Avenue and 61.35 feet Northeasterly from the South East corner of Lot 12 aforesaid; running thence Northwesternly on a line and parallel with the Southwesterly line of Lot 12 aforesaid, 143 feet to a point; thence Southwesterly on a line and parallel with Southeasterly line of Lot 12 aforesaid, 61.35 feet to the South West line of Lot 12 aforesaid; thence Northwesternly with the Southwesterly line of Lot 12 aforesaid, 38.18 feet to a point; thence Northeasterly on a line and parallel with the Southeasterly line of Lot 12 aforesaid, 117.70 feet to a point which is 6 feet Southwesterly from the Northeasterly line of Lot 12 aforesaid; thence Southeasterly on a line and parallel with the Northeasterly line of Lot 12 aforesaid, 5.21 feet to a point which is 120 feet Southeasterly from the Southeasterly line of North Farwell Avenue; thence Northeasterly on a line and parallel with the Southeasterly line of North Farwell Avenue, 6 feet to a stone monument located on the Northeasterly line of Lot 12 aforesaid; thence Southeasterly along the Northeasterly line of Lot 12 aforesaid, 175.97 feet to a stone monument at the Northeasterly corner of Lot 12 aforesaid and thence Southwesterly along the Southeasterly line of Lot 12 aforesaid, 62.35 feet to beginning, except the Northwesternly 3 feet of the Southeasterly 181.18 feet, running parallel with the Southeast line of Lot 12 for a distance of 117.70 feet from the Southwest line of said Lot 12.

Parcel II:

The South Westerly One-half ($\frac{1}{2}$) of Lot Thirteen (13), in Block One Hundred Ninety-eight (198), in Rogers' Addition, in the South East One-quarter ($\frac{1}{4}$) of Section Twenty-one (21), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, except the North Westerly One Hundred Twenty (120) feet thereof, the South Easterly boundary whereof is parallel to the Easterly line of North Farwell Avenue, and One Hundred Twenty (120) feet distant therefrom.

Parcel III:

That part of Lot Twelve (12), in Block One Hundred Ninety-eight (198), in Rogers' Addition, being a part of Fractional Lots Seven (7) and Eight (8) of Section Twenty-one (21), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows, to-wit: Commencing at a point in the Westerly line of North Prospect Avenue 448.55 feet South Westerly from the South Westerly corner of North Prospect Avenue and East Brady Street; thence North Westerly parallel to the Southerly line of East Brady Street 143 feet to a point; thence South Westerly on a line parallel to North Prospect Avenue 61.35 feet to a point; thence South Easterly 143 feet on a line parallel to said East Brady Street to a point on the Westerly line of said North Prospect Avenue; thence North Easterly along the Westerly line of North Prospect Avenue 61.35 feet to the place of beginning.

Also described as Diamond Tower Condominium by Declaration recorded September 8, 1981, in the Office of the Register of Deeds for Milwaukee County, Wisconsin on Reel 1400, Images 1280-1315, inclusive, as Document No. 5499087.

4. DEFINITION AND DESCRIPTION OF UNITS.

4.1 *Number.* There shall be one hundred twelve (112) residential condominium units in DIAMOND TOWER CONDOMINIUM.

4.2 *Definition.* A unit is that part of the building intended for individual, private use, comprised of one or more cubicles of air at one or more levels of space, having outer boundaries formed by the interior surfaces of the perimeter walls, ceilings, floors, windows, window frames, doors and door frames of the units, as said boundaries are shown in the Condominium Plat attached hereto, together with all fixtures and improvements therein contained.

4.3 *Identification.* The units are designated by combinations of numerals and letters; the numerals indicate the floor in the building on which the unit is located. The unit designations and locations and floor plans for the various unit types are as set forth in the Condominium Plat attached hereto. The approximate dimensions and floor area of each unit, number of rooms, immediate common elements to which the units have access, and further details identifying and describing the units are as set forth in the Condominium Plat.

5. DESCRIPTION AND LOCATION OF BUILDINGS.

The building on the real estate described in Section 3 above is 22 stories in height, with two subsurface parking levels containing 151 indoor garage parking spaces. The building is constructed principally of concrete and steel, with a flat cantilevered roof, and contains 112 residential condominium units, plus a guest unit for guests of unit owners and living quarters for a resident manager. The building is located on the real estate as indicated in the Condominium Plat.

Declarant reserves the right to change the layout, location, dimensions and construction details of the building, units and common elements shown on the Condominium Plat which are not yet fully constructed, provided that such changes shall not substantially alter the nature and quality of the building and units.

6. COMMON ELEMENTS AND FACILITIES.

6.1 *Description.* The common elements and facilities shall consist of all of DIAMOND TOWER CONDOMINIUM, improvements and appurtenances, except the individual units and fixtures therein, as defined hereunder, and shall include, without limitation, the land on which the building is located; the building exterior, perimeter and bearing walls; underground and surface parking; storage areas; the lobby, corridors, hallways and stairways; elevators; manager's unit; guest unit; party and meeting rooms; indoor swimming pool; health and exercise room; building roof; solarium; sun decks; foundations; pipes; ducts; electrical wiring and conduits; building sprinkler systems; security systems; common utility services; public utility lines; water and sewer laterals; outside walls; girders, beams and supports; and the walks, driveways, and landscaping comprising the condominium property.

6.2 *Easements.* Each unit owner shall have a valid, exclusive easement to the space between the interior and exterior walls of his unit for purposes of adding additional utility outlets, wall hangings, erection of non-bearing partition walls, and the like, where space between the walls may be necessary for such uses, provided that the unit owner shall do nothing to impair the structural integrity of the building, and provided further that the common elements and facilities be restored to their former condition by the unit owner at his sole expense upon completion or termination of the use requiring the easement. Easements are hereby granted and declared for the benefit of the unit owners and the Association of Unit Owners (hereinafter described) for the installation, maintenance and repair of common utility services in and on any part of the common elements or units.

7. LIMITED COMMON ELEMENTS.

7.1 *Description.* A portion of the common elements and facilities are designated as "limited common elements," as shown in the Condominium Plat. Such limited common elements shall be reserved for the exclusive use of the owner or occupant of the unit to which they are appurtenant, to the exclusion of all other units in the condominium. Such limited common elements consist of the balconies, patios, parking spaces, storage lockers, and such other limited common elements as may be identified in the Condominium Plat.

7.2 *Balconies and Patios.* All balconies and patios in DIAMOND TOWER CONDOMINIUM shall constitute limited common elements, and the exclusive use of such elements shall be and is hereby assigned to the adjoining condominium unit as shown in the Condominium Plat.

7.3 *Parking and Storage.* Parking spaces and storage lockers shall constitute limited common elements. DIAMOND TOWER CONDOMINIUM includes 151 indoor garage parking spaces on underground levels of the building, and 19 surface parking spaces; storage lockers are located on the underground levels and on the solarium level of the building. At least one (1) and in some cases two (2) parking spaces have been assigned for the exclusive use of each unit, and at least one (1) storage locker has been assigned for the exclusive use of each unit. Some outdoor parking spaces shall not be subject to assignment, but shall be maintained by the Association as guest parking under such rules and regulations as the Association may determine from time to time. The respective units to which parking spaces and storage lockers are assigned are shown in the Condominium Plat attached hereto.

7.4 *Assignment by Unit Owners.* Any unit owner may assign his rights to use an assigned limited common element such as a parking space or a storage locker to any other unit owner in DIAMOND TOWER CONDOMINIUM. The use of the limited common element so assigned shall thereupon become appurtenant to the unit owned by the assignee. Such assignment shall be upon a form approved for use by the Association, and shall be recorded with the Register of Deeds for Milwaukee County. The assignment shall be subject to the rights of any existing mortgagee with respect to the limited common element so assigned. After such an assignment, the assigning unit owner shall have no further right to use the limited common element so assigned, and the limited common element shall thereafter be appurtenant to the unit owned by the assignee, as specified in the assignment form, until further assignment. The use of limited common elements may be assigned only to owners of units in DIAMOND TOWER CONDOMINIUM.

7.5 Use. The manner of use of the limited common elements shall be governed by the By-Laws of, and such rules and regulations as may be established by, the Association of Unit Owners, and no unit owner shall alter, remove, repair, paint, decorate, landscape or adorn any limited common element, or permit such, in any manner contrary to such By-Laws and rules and regulations. No major or structural changes or alterations shall be made by any unit owner to any of the limited common elements without the prior written approval of the Association, which approval may be given upon such terms and conditions as the Association deems appropriate.

8. PERCENTAGE OF OWNERSHIP IN COMMON ELEMENTS AND FACILITIES AND LIMITED COMMON ELEMENTS.

Each unit owner shall own an undivided interest in the common elements and facilities and limited common elements as a tenant in common with all other unit owners and, except as otherwise limited in this Declaration, shall have the right to use and occupy the common elements and facilities and limited common elements for all purposes incident to the use and occupancy of his unit as a place of residence, and such other incidental uses permitted by this Declaration, which rights shall be appurtenant to and run with his unit.

The percentage of such undivided interest in the common elements and facilities and limited common elements relating to each unit and its owner for all purposes, including ownership and proportionate payment of common expenses, but exclusive of voting, shall be as follows:

<u>Unit No.</u>	<u>Percentage</u>	<u>Unit No.</u>	<u>Percentage</u>	<u>Unit No.</u>	<u>Percentage</u>
1-A	.65%	5-D	1.05%	10-A	1.03%
1-B	.60	5-E	.77	10-B	.98
1-C	.63	5-F	.63	10-C	.75
1-E	.63	6-A	.99	10-E	.82
2-A	.90	6-B	.94	10-F	.68
2-B	.85	6-C	.71	11-A	1.04
2-C	.58	6-E	.78	11-B	.99
2-D	.59	6-F	.64	11-C	.76
2-E	.73	7-A	1.00	11-D	1.11
2-F	.58	7-B	.95	11-E	.83
3-A	.96	7-C	.72	11-F	.69
3-B	.91	7-D	1.07	12-A	1.05
3-C	.60	7-E	.79	12-B	1.00
3-D	.62	7-F	.65	12-C	.77
3-E	.75	8-A	1.01	12-E	.84
3-F	.61	8-B	.96	12-F	.70
4-A	.97	8-C	.73	14-A	1.06
4-B	.92	8-E	.80	14-B	1.01
4-C	.61	8-F	.66	14-C	.78
4-D	.63	9-A	1.02	14-D	1.13
4-E	.76	9-B	.97	14-E	.85
4-F	.62	9-C	.74	14-F	.71
5-A	.98	9-D	1.09	15-A	1.08
5-B	.93	9-E	.81	15-B	1.03
5-C	.70	9-F	.67	15-C	.79

<u>Unit No.</u>	<u>Percentage</u>	<u>Unit No.</u>	<u>Percentage</u>	<u>Unit No.</u>	<u>Percentage</u>
15-E	.86%	17-F	.74%	19-F	.76%
15-F	.72	18-A	1.11	20-A	1.25
16-A	1.09	18-B	1.06	20-B	1.30
16-B	1.04	18-C	.74	20-C	1.22
16-C	.80	18-D	.76	20-D	1.31
16-D	1.16	18-E	.89	21-A	1.26
16-E	.87	18-F	.75	21-B	1.31
16-F	.73	19-A	1.12	21-C	1.23
17-A	1.10	19-B	1.07	21-D	1.32
17-B	1.05	19-C	.75	22-A	1.27
17-C	.81	19-D	.77	22-B	1.32
17-E	.88	19-E	.90	22-C	1.24
				22-D	1.50

9. ASSOCIATION OF UNIT OWNERS.

9.1 *Membership, Duties and Obligations.* All unit owners shall be entitled and required to be a member of an association of unit owners known as Diamond Tower Condominium Association, Inc. (herein "Association") which shall be responsible for carrying out the purposes of this Declaration, including the exclusive management and control of the common elements and facilities and limited common elements. Such Association shall be incorporated as a non-profit corporation under the laws of the State of Wisconsin. Each unit owner and the occupants of the units shall abide by and be subject to all of the rules, regulations, duties and obligations of this Declaration and the By-Laws and rules and regulations of the Association.

9.2 *Voting Rights.* Each unit shall be entitled to one (1) vote at meetings of the Association. Only one membership and one vote shall exist for each unit; if title to a unit is held by more than one person, the membership related to that unit shall be shared by such owners in the same proportionate interests and by the same type of tenancy in which title to the unit is held. Voting rights may not be split, and shared membership interests must be voted pursuant to the designation contained in the Membership List maintained pursuant to the By-Laws.

The respective rights, qualifications and obligations of the members shall be as set forth in the By-Laws of the Association.

9.3 *Control.* Notwithstanding any other provisions herein contained, Declarant, its successors and assigns, shall have the right at its option to appoint and remove the members of the Board of Directors and officers of the Association and to amend the By-Laws or rules and regulations of the Association, until the earlier of: (a) three (3) years from the date of first sale of a unit by Declarant, (b) thirty (30) days after the conveyance of seventy-five percent (75%) of the common element interest to purchasers by Declarant, or (c) until such earlier time as may be determined by Declarant, subject in each case to provisions of the Act. Each owner of a condominium unit in DIAMOND TOWER CONDOMINIUM shall be deemed by acceptance of any deed to any unit to agree, approve, and consent to the right of Declarant to so control the Association.

9.4 *Association Personnel.* The Association may obtain and pay for the services of any person or entity to manage its affairs to the extent it deems advisable, and may hire

such other personnel as it shall determine to be necessary or advisable for the proper operation of the condominium. The Association may contract for common services or utilities as may be required for each unit.

10. RESIDENTIAL PURPOSE.

The building and the units therein contained are intended for and restricted exclusively to residential use as governed by the terms and conditions contained herein and the By-Laws of the Association. Notwithstanding the foregoing, the Declarant reserves the right, at its option and in its sole discretion, to use and occupy various units, selected by the Declarant, as "model" units, and to use the guest unit as a sales office, until such time as all one hundred twelve (112) units in DIAMOND TOWER CONDOMINIUM have been completed and sold by Declarant, or until such earlier time as may be determined by Declarant.

11. REPAIRS AND MAINTENANCE.

11.1 *Individual Units.* Each unit owner shall be responsible for keeping the interior of his unit and all of its equipment, fixtures and appurtenances in good order, condition and repair and in a clean and sanitary condition, and shall be responsible for interior decorating, painting and varnishing which may at any time be necessary to maintain the good appearance and condition of his unit, all as is more fully set forth in the By-Laws of the Association. Without in any way limiting the foregoing, in addition to decorating and keeping the interior of the unit in good repair, each unit owner shall be responsible for the maintenance, repair or replacement of any plumbing fixtures, doors and windows (including interior washing and replacement of broken glass), screens and screening, lighting fixtures, refrigerators, ranges, heating and air conditioning equipment, dishwashers, disposals, laundry equipment such as washers and dryers, interior electrical wiring and fixtures, or other equipment which may be in, or connect with, the unit or the limited common elements appurtenant to the unit.

11.2 *Common Elements and Facilities.* The Association shall be responsible for the management and control of the common elements and facilities and limited common elements, and shall cause the same to be kept in good, clean, attractive and sanitary condition, order and repair, as provided in the By-Laws of the Association. Without in any way limiting the foregoing, this shall include all repair and maintenance of the building exterior, walls and roofs, lobbies, hallways and elevators, balconies and patios, parking and storage areas, swimming pool, solarium, sun deck, and meeting and exercise rooms, and the repair, upkeep and maintenance of walks, drives, and landscaping. All expenses of maintenance of the common elements and facilities shall be a common expense of the Association.

11.3 *Limited Common Elements.* Each unit owner shall keep the limited common elements appurtenant to his unit, as defined in Section 7 hereof and as described in the Condominium Plat, in a good, clean, sanitary and attractive condition. The owner of unit 22-D shall be responsible for all repair and maintenance of the limited common elements appurtenant to such unit as shown in the Condominium Plat, including the roof-top garden and related facilities.

11.4 *Prohibition Against Structural Changes by Owner.* A unit owner shall not, without first obtaining the written consent of the Association, make or permit to be made any structural alterations, or major changes or improvements to his unit, or in or to

the exterior of the building or any common or limited common elements and facilities, or make or install any improvements or equipment which may affect other units or the owners of other units. A unit owner shall not perform, or allow to be performed, any act or work which will impair the structural soundness or integrity of any building, or the safety of the property, or impair any easement or hereditament, without the prior written consent of the Association.

11.5 Entry for Repairs. The Association may enter any unit at reasonable times and under reasonable conditions when necessary in connection with any maintenance, construction or repair of public utilities or for any other matters for which the Association is responsible. Such entry shall be made with prior notice to the owners, except in the case of an emergency when injury or property damage will result from delayed entry, and with as little inconvenience to the owners as practical, and any damage caused thereby shall be repaired by the Association and treated as a common expense except as allocable to an individual unit or units for cause in the discretion of the Board of Directors.

11.6 Decorating. Each unit owner shall have the exclusive right to carpet, paint, repaint, tile, panel, paper or otherwise refurbish and decorate the interior surfaces of the walls, ceilings, floors and doors forming the boundaries of his unit and all walls, ceilings, floors and doors within such boundaries, and to erect partition walls of a non-structural nature within his unit.

12. REALLOCATION OF BOUNDARIES.

Unit owners in DIAMOND TOWER CONDOMINIUM may reallocate unit boundaries between adjoining units upon compliance with the provisions hereof and the Act:

12.1 Written Application. Owners of adjoining units in DIAMOND TOWER CONDOMINIUM who wish to relocate mutual unit boundaries shall make written application to the President of the Association. The written application shall identify the units involved and shall specify the proposed reallocation of the aggregate undivided interest in the common elements appertaining to the units involved in the reallocation. The application shall also contain a proposed reallocation, if any, of the votes in the Association with respect to the units involved in the reallocation for approval by the Board of Directors of the Association.

12.2 Notice and Meeting. Upon receipt of the written application, the President of the Association shall give written notice to all other unit owners advising of the proposed reallocation of boundaries, stating the units involved in the reallocation and the proposed reallocation of votes and undivided ownership interest in the common elements. The notice to unit owners shall be delivered within ten (10) days after the written application is received. The Board of Directors of the Association shall meet to consider the reallocation no earlier than thirty (30) days after the notice is given to the unit owners and no later than sixty (60) days after the written application is received.

12.3 Amendment to Declaration. Upon consideration by the Board of Directors at such meeting, and approval as to the reallocation of votes in the Association and the undivided interest in the common elements with respect to the relocated units, the President shall direct the preparation and execution of appropriate documents, including an amendment to this Declaration. The amendment shall identify the units involved and shall state

that the boundaries between those units are being relocated by agreement of the unit owners thereof. The amendment shall contain words of conveyance between the said unit owners, and shall specify the reallocation of the aggregate undivided ownership interest in the common elements appertaining to the units as relocated, the votes attributable to the relocated units in the Association, the use of limited common elements appurtenant to the relocated units, and a statement that common expenses and special assessments of the Association shall thereafter be assessed in accordance with the percentage of undivided ownership interest in the common elements appurtenant to the relocated units. Plats and plans showing the relocated boundaries and the dimensions of the units and the identifying unit numbers shall be prepared and certified in accordance with requirements of the Act.

12.4 Effective Date. After appropriate documents have been prepared and executed by the President and Secretary of the Association, the documents shall be delivered to the requesting unit owners upon payment by such unit owners of all charges and expenses incurred by the Association for the preparation of such documents. The reallocation of boundaries and the documents shall be effective only when signed by the requesting unit owners and their mortgagees, if any, and recorded with the Register of Deeds for Milwaukee County, Wisconsin. The effective date shall be the date of recording.

12.5 No Subdivision. No unit in DIAMOND TOWER CONDOMINIUM may be subdivided or separated, except that units which have reallocated boundaries in accordance with the foregoing provisions may thereafter be separated, provided that no resulting unit shall be smaller in square footage or percentage of undivided interest in the common elements than the units as originally declared by this Declaration. The procedures for separation of units which have reallocated boundaries shall be as stated in the Act.

13. DESTRUCTION AND RECONSTRUCTION.

In the event of a partial or total damage or destruction of the building, or any other part of the common elements, such shall be repaired and rebuilt as soon as practicable and substantially to the same design, plan and specifications as originally built, so as to be compatible with the remainder of the condominium, unless within ninety (90) days of the date of damage or destruction the repair or reconstruction of which will exceed the sum of \$100,000, by affirmative vote and written consent of at least seventy-five percent (75%) of the votes in the Association, it is determined not to rebuild or repair. In such event, the property shall be subject to an action for partition and shall be partitioned pursuant to §703.18 of the Wisconsin Statutes.

On reconstruction, the design, plan and specifications of the building or units may vary from that of the original upon approval of the Association, provided, however, that the number of square feet of any unit may not vary by more than five percent (5%) from the number of square feet for such unit as originally constructed, and the location of the same shall be substantially the same as prior to damage or destruction. The proceeds of any insurance provided by the Association and collected for such damage or destruction shall be available to the Association for the purpose of repair or reconstruction, as provided in Section 14 hereof. The Association shall have the right to levy assessments as a common expense against all unit owners in the event that the proceeds of any insurance collected are insufficient to pay the estimated or actual costs of repair or reconstruction.

14. INSURANCE.

The Board of Directors of the Association shall provide and maintain fire and broad form extended coverage insurance on the building and any other common elements and any portion thereof in an amount not less than the full replacement value thereof from time to time. Such insurance shall be obtained in the name of the Association as trustee for each of the unit owners and their respective mortgagees in the percentages established in this Declaration, as their interests may appear. Premiums shall be a common expense. To the extent possible, the insurance shall provide that the insurer waives its rights of subrogation as to any claim against unit owners, the Association, and their respective servants, agents and guests, and that the insurance cannot be cancelled, invalidated nor suspended on account of conduct of any one or more unit owners, or the Association, or their servants, agents and guests, without thirty (30) days prior written notice to the Association giving it opportunity to cure the defect within that time. The amount of protection and the types of hazards to be covered shall be reviewed by the Board of Directors at least annually and the amount of coverage may be increased or decreased at any time it is deemed necessary as determined by the Board of Directors to conform to the requirements of full insurable value.

In the event of partial or total destruction of the building or other common elements and the repair or reconstruction of the same in accordance with Section 13 hereof, the proceeds of such insurance shall be paid to the Association as trustee to be applied to the cost thereof. If it is determined not to reconstruct or repair, then the insurance proceeds together with the net proceeds of sale of the property shall be distributed to the unit owners and their mortgagees, if any, as their respective interests may appear, in the manner provided by the Act.

If insurance coverage is available to combine protection for the Association and the unit owner's individual unit, the Board of Directors is hereby given discretionary power to negotiate such combination of insurance protection on an equitable cost-sharing basis under which the unit owner would be assessed individually for the amount of insurance which he directs the Board of Directors to include in such policies for his additional protection. Copies of all such policies shall be provided to each mortgagee. Nothing contained in this paragraph shall be deemed to prohibit any unit owner, at his own expense, to provide any additional insurance coverage on his improvements or on his unit which will not duplicate any insurance provided by the Association of Unit Owners.

The Board of Directors shall also provide public liability insurance covering the common elements and facilities and the limited common elements with respect to all claims commonly insured against in such amounts as may be determined at the discretion of the Board of Directors from time to time. The Board of Directors shall also provide workman's compensation insurance, directors' and officers' liability insurance and fidelity bonds on such officers and employees in such amounts and with such coverage as is determined by the Board of Directors to be necessary or advisable from time to time.

15. LIABILITY FOR COMMON EXPENSES.

The costs of administration of the Association, insurance, repair, maintenance, cleaning, and other expenses of the common elements and facilities and limited common elements, including common services provided to the unit owners such as water, security, trash removal, snow removal, and all other expenses of the property, shall be paid for by the

Association. The Association shall make assessments against the unit owners and the units for such common expenses in accordance with the percentage of the undivided interest in the common and limited common elements and facilities relating to each unit, in the manner provided in the By-Laws of the Association. No unit owner may exempt himself or his unit ownership from liability for his contribution toward the common expenses by waiver of the use or enjoyment of any of the common or limited common elements and facilities or services or by abandonment of his unit; and no conveyance shall relieve the unit owner-grantor or his unit of such liability, and he shall be jointly, severally and personally liable along with his grantee in any such conveyance for the common expenses incurred up to the date of sale, until all expenses charged to his unit have been paid.

All assessments, when due, shall immediately become a personal debt of the unit owner and also a lien, until paid, against the unit to which charged, as provided in the Act. Assessments shall be made against the unit owners and the units at the beginning of each fiscal year of the Association to meet estimated common expenses of the Association for the ensuing year; however, if prorated and paid monthly, the assessments shall not be considered due until the respective installment payment dates. In the event of delinquency in payment, the Association may accelerate annual assessments remaining unpaid with respect to such delinquent unit for purposes of collection or foreclosure action by the Association.

16. PARTITION OF COMMON ELEMENTS PROHIBITED.

There shall be no partition of the common elements and facilities and limited common elements through judicial proceedings or otherwise, except as otherwise provided in this Declaration, until this Declaration is terminated and the property is withdrawn from its terms or from the terms of the applicable statutes regarding unit ownership or condominium ownership; provided, however, that if any unit shall be owned by two or more co-owners as tenants in common or as joint tenants, nothing contained herein shall be deemed to prohibit a voluntary or judicial partition of said single unit as between such co-owners. No unit may be subdivided or separated, except as provided in Section 12 herein.

17. CONVEYANCE TO INCLUDE INTERESTS IN COMMON ELEMENTS AND FACILITIES AND LIMITED COMMON ELEMENTS.

The percentage of the undivided interest in the common and limited common elements and facilities shall not be separated from the unit to which it appertains. No unit owner shall execute any deed, mortgage, lease or other instrument affecting title to such unit ownership without including therein both his interest in the unit and his corresponding percentage of ownership in the common and limited common elements and facilities, it being the intention hereof to prevent any severance of such combined ownership. Any such deed, mortgage, lease or other instrument purporting to affect the one without including also the other shall be deemed and taken to include the interest so omitted even though the latter is not expressly mentioned or described therein.

18. EASEMENTS, RESERVATIONS AND ENCROACHMENTS.

18.1 Utilities. Easements are hereby declared and granted for the benefit of the unit owners and the Association and reserved for the benefit of the Declarant for utility purposes, including the right to install, lay, maintain, repair and replace water mains and pipes, sewer lines, gas mains, telephone wires and equipment, master television antenna system

wires and equipment, and electrical conduits and wires and equipment, including power transformers, over, under, along and on any part of the common elements and facilities, to service the condominium property.

18.2 Encroachments. In the event that by reason of the construction, reconstruction, settlement, or shifting of the building, or the design or construction of any unit, any part of the common elements and facilities, or limited common elements, encroaches or shall hereafter encroach upon any part of any unit, or any part of any unit encroaches or shall hereafter encroach upon any part of the common elements and facilities, or limited common elements, or any portion of any unit encroaches upon any part of any other unit, valid easements for the maintenance of such encroachment are hereby established and shall exist for the benefit of such unit so long as all or any part of the building shall remain standing, and unit and common element boundaries shall be as provided in the Act. Provided, however, that in no event shall a valid easement for any encroachment be created in favor of the owner of any unit or in favor of the owner or owners of the common elements or facilities, or limited common elements, if such encroachment occurred due to the willful and knowing conduct of said owner or owners.

18.3 Binding Effect. All easements and rights described in this Section 18 are easements appurtenant, running with the land, and are subject to the reasonable control of the Association. All easements and rights described herein are granted and reserved to, and shall inure to the benefit of and be binding on, the undersigned, its successors and assigns, and on all unit owners, purchasers and mortgagees and their heirs, personal representatives, successors and assigns. The Association or the Declarant shall have the authority to execute and record all documents necessary to carry out the intent of this Section 18.

19. FAILURE OF ASSOCIATION TO INSIST ON STRICT PERFORMANCE NOT WAIVER.

The failure of the Association to insist, in any one or more instances, upon the strict performance of any of the terms, covenants, conditions or restrictions of this Declaration, or to exercise any right or option herein contained, or to serve any notice or to institute any action, shall not be construed as a waiver or a relinquishment for the future of such term, covenant, condition or restriction, but such term, covenant, condition or restriction shall remain in full force and effect. The receipt by the Association of payment of any assessment from a unit owner, with knowledge of the breach of any covenant hereof, shall not be deemed as a waiver of such breach, and no waiver by the Association of any provision hereof shall be deemed to have been made unless expressed in writing and signed by the Association.

20. AMENDMENTS TO DECLARATION.

Except as otherwise provided by the Act with respect to termination of the condominium form of ownership, this Declaration may be amended with the written consent of not less than seventy-five percent (75%) of the unit owners and mortgagees following the construction and initial sale of all one hundred twelve (112) units by Declarant. Prior to such time the consent in writing of the Declarant, its successors or assigns, shall also be required. No amendment shall alter or abrogate the rights of Declarant as contained in this Declaration. Copies of amendments shall be certified by the President and Secretary of the Association in a form suitable for recording. A copy of the amendment shall be recorded with the

Register of Deeds for Milwaukee County, and a copy of the amendment shall also be mailed or personally delivered to each unit owner at his address on file with the Association.

21. MORTGAGEE RIGHTS.

21.1 The holder of any first mortgage or land contract upon a unit in DIAMOND TOWER CONDOMINIUM ("Mortgagee"), upon the submission of a request to the Association in writing delivered to the Resident Agent as specified herein, shall be entitled to receive notice from the Association of the following matters:

21.1.1 Written notice as to any default or delinquency in the performance by the individual unit owner who is the Mortgagee's mortgagor as to any obligation under the Condominium documents, which default or delinquency is not cured within 30 days after written notice of said default or delinquency by the Association to the said mortgagor;

21.1.2 Written notice of the call of any meeting of the membership or the Board of Directors of the Association to be held for the purpose of considering any proposed Amendment to the Declaration, the Articles of Incorporation of the Association, or the By-Laws of the Association;

21.1.3 Written notice of any damage or destruction to the common elements of the Condominium, including the building structure, fixtures and equipment which are a part of the common elements, which is in an aggregate amount exceeding \$5,000, at such time as such damage or destruction is known to the Board of Directors.

21.2 Except as provided by the Act in the case of damage to or destruction of all or any part of the property, the Association shall not, unless the Mortgagees of at least 75% of the units have given their prior written consent:

21.2.1 Change the undivided percentage interest in the common elements of the Condominium appurtenant to any unit, or the manner of making assessments for common expenses based upon such percentage;

21.2.2 Partition or subdivide any unit or common elements of the Condominium, except that with respect to reallocation of boundaries as provided in Section 12 herein, approval of the Mortgagees of all affected units need only be obtained;

21.2.3 By act or omission seek to abandon or terminate the Condominium or encumber or convey any part of the common elements of the Condominium.

22. NOTICES.

All notices and other documents required to be given by this Declaration or the By-Laws of the Association shall be sufficient if given to one (1) registered owner of a unit regardless of the number of owners who have an interest therein. Notices and other documents to be served upon Declarant shall be given to the Resident Agent specified herein. All owners shall provide the Secretary of the Association with an address for the mailing or service of any notice or other documents and the Secretary shall be deemed to have discharged his duty with respect to the giving of notice by mailing it or having it delivered personally to such address as is on file with him.

REF 1559 MAR 1387

23. RESIDENT AGENT.

The Resident Agent for the Condominium shall be George F. Hutter, c/o The Hutter Construction Co., 134 Western Avenue, Fond du Lac, Wisconsin 54935, or such other person or entity as may be designated from time to time by the Board of Directors of the Association, which designation shall be filed with the Secretary of State of the State of Wisconsin. A designation of a Resident Agent in replacement of said Agent shall be filed by the Association within thirty (30) days after the date Declarant has sold all one hundred twelve (112) units in the Condominium, or at such earlier time as may be requested by said Agent. The Association may designate successors to the Resident Agent by affirmative vote of a majority of the unit owners present or represented by proxy at a meeting of the Association at which a quorum is in attendance.

24. NUMBER AND GENDER.

Whenever used herein, unless the context shall otherwise provide, the singular number shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders.

25. CAPTIONS.

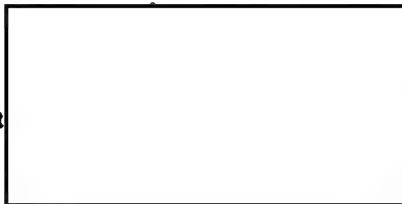
The captions and section headings herein are inserted only as matters of convenience and for reference, and in no way define nor limit the scope or intent of the various provisions hereof.

26. SEVERABILITY.

The provisions hereof shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of the remaining portion of said provision or of any other provision hereof.

IN WITNESS WHEREOF, the said The Hutter Construction Co., Declarant, has caused this document to be executed at Milwaukee, Wisconsin as of the date first set forth above.

Attest



THE

By



b6
b7C

REF 1559 REG 1388

AUTHENTICATION

Signature of [redacted] authenticated this 22 day
of August, 1982.

[redacted]

Title: Member, State Bar of Wisconsin

This instrument was drafted by:

[redacted]

Quarles & Brady
780 North Water Street
Milwaukee, Wisconsin 53202

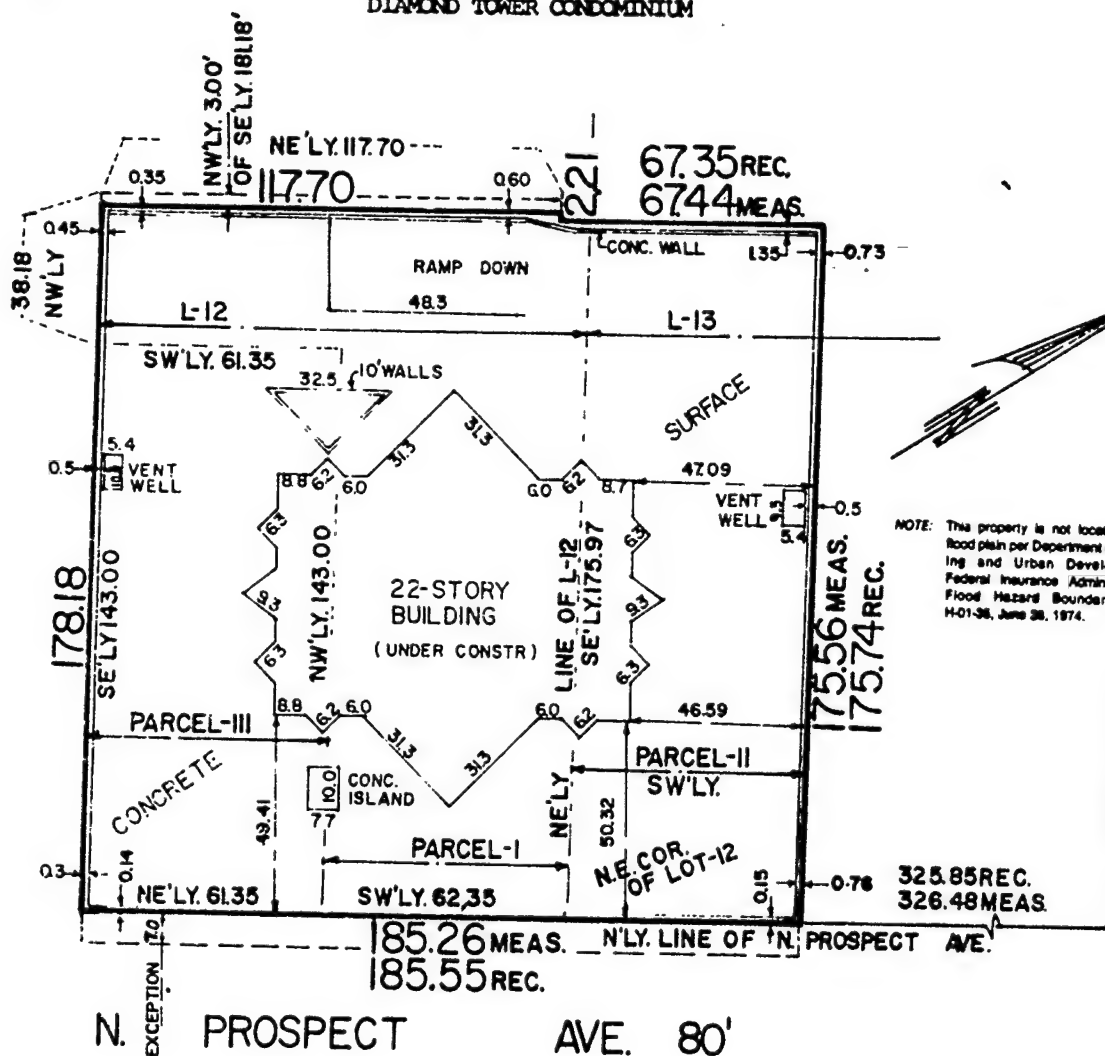
RETURN TO:
David J. Peterson
Quarles & Brady
780 North Water Street
Milwaukee, Wisconsin 53202

DIAMOND TOWER CONDOMINIUM

Condominium Plat

Survey	1
Legal Description.	2
Building Floor Plan (First Floor).	3
Building Floor Plan (Floors 2-19).	4
Building Floor Plan (Floors 20, 21, 22).	5
Building Floor Plan (Solarium Level)	6
Unit Floor Plan (Unit A)	7
Unit Floor Plan (Unit B)	8
Unit Floor Plan (Unit C - 1 Bedroom)	9
Unit Floor Plan (Unit C - 2 Bedroom)	10
Unit Floor Plan (Unit D - 1 Bedroom)	11
Unit Floor Plan (Unit D - 2 Bedroom)	12
Unit Floor Plan (Unit E)	13
Unit Floor Plan (Unit F)	14
Unit Floor Plan (Unit A - Penthouse)	15
Unit Floor Plan (Unit B - Penthouse)	16
Unit Floor Plan (Unit C - Penthouse)	17
Unit Floor Plan (Unit D - Penthouse)	18
Site Plan/Surface Parking.	19
Upper Parking Level.	20
Lower Parking Level.	21
Lower Level Storage Lockers.	22
Lower Level Storage Lockers.	23
Solarium Level Storage Lockers	24
Parking and Storage Assignments.	25

PLAT OF SURVEY
REEL 1559 PAGE 1390
DIAMOND TOWER CONDOMINIUM



I, do hereby certify that I have surveyed the above described property and that this survey is an accurate representation of the exterior boundary lines and the location of the buildings and improvements constructed or to be constructed upon the property.

This Condominium Plat is a correct representation of DIAMOND TOWER CONDOMINIUM as proposed at the date hereof, and the identification and proposed location of the common elements can be determined from the Plat. The common elements are defined as all of the condominium property except the individual units described in this Plat. The undersigned surveyor makes no certification as to the accuracy of diagrammatic floor plans of the condominium buildings and units contained in the Plat or the approximate dimensions or floor areas thereof.

REGISTERED WISCONSIN
LAND SURVEYOR S 10
Diamond Tower Condominium
Condominium Plat - Page 1



b6
b7C

REF 1559-1391

KNOWN AS 1633 NORTH PROSPECT AVENUE, IN CITY OF MILWAUKEE, WISCONSIN

PARCEL I: THAT PART OF LOT 12 IN BLOCK 198 IN ROGER'S ADDITION TO MILWAUKEE, BEING A PART OF THE SE 1/4 OF SECTION 21, T 7 N, R 22 E, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF NORTH PROSPECT AVENUE AND 61.35 FT. NORTHEASTERLY FROM THE SOUTHEAST CORNER OF LOT 12 AFORESAID:

RUNNING THENCE NORTHWESTERLY ON A LINE AND PARALLEL WITH THE SOUTHWESTERLY LINE OF LOT 12 AFORESAID 143.00 FT. TO A POINT:

THENCE SOUTHWESTERLY ON A LINE PARALLEL WITH THE SOUTHEASTERLY LINE OF LOT 12 AFORESAID 61.35 FT. TO THE SOUTHWEST LINE OF LOT 12 AFORESAID:

THENCE NORTHWESTERLY WITH THE SOUTHWESTERLY LINE OF LOT 12 AFORESAID 38.18 FT. TO A POINT:

THENCE NORTHEASTERLY ON A LINE AND PARALLEL WITH THE SOUTHEASTERLY LINE OF LOT 12 AFORESAID 117.70 FT. TO A POINT WHICH IS 6.00 FT SOUTHWESTERLY FROM THE NORTHEASTERLY LINE OF LOT 12 AFORESAID:

THENCE SOUTHEASTERLY ON A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF LOT 12 AFORESAID 5.21 FT. TO A POINT WHICH IS 120.00 FT. SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF NORTH FARWELL AVENUE:

THENCE NORTHEASTERLY ON A LINE AND PARALLEL WITH THE SOUTHEASTERLY LINE OF NORTH FARWELL AVENUE 6.00 FT. TO A STONE MONUMENT LOCATED ON THE NORTHEASTERLY LINE OF LOT 12 AFORESAID:

THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF LOT 12 AFORESAID 175.97 FT. TO A STONE MONUMENT AT THE NORTHEASTERLY CORNER OF LOT 12 AFORESAID AND THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 12 AFORESAID 62.35 FT. TO THE POINT OF BEGINNING.

EXCEPTING THE NORTHWESTERLY 3.00 FT OF THE SOUTHEASTERLY 181.18 FT. RUNNING PARALLEL WITH THE SOUTHEAST LINE OF LOT 12 FOR A DISTANCE OF 117.70 FT. FROM THE SOUTHWEST LINE OF SAID LOT 12.

PARCEL II THE SOUTHWESTERLY 1/2 OF LOT 13 IN BLOCK 198 IN ROGER'S ADDITION, BEING A PART OF THE SE 1/4 OF SECTION 21, T 7 N, R 22 E, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, EXCEPTING THE NORTHWESTERLY 120.00 FT. THEREOF, THE SOUTHEASTERLY BOUNDARY WHEREOF IS PARALLEL TO THE EASTERLY LINE OF NORTH FARWELL AVENUE AND 120.00 FT. DISTANT THEREFROM.

PARCEL III THAT PART OF LOT 12 IN BLOCK 198 IN ROGER'S ADDITION, BEING A PART OF FRACTIONAL LOTS 7 AND 8 OF SECTION 21, T 7 N, R 22 E, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT A POINT IN THE WESTERLY LINE OF NORTH PROSPECT AVENUE 448.55 FT. SOUTHWESTERLY FROM THE SOUTHWESTERLY CORNER OF NORTH PROSPECT AVENUE AND EAST BRADY STREET:

THENCE NORTHWESTERLY 143.00 FT. TO A POINT:

THENCE SOUTHWESTERLY ON A LINE PARALLEL TO NORTH PROSPECT AVENUE 61.35 FT. TO A POINT:

THENCE SOUTHEASTERLY 143.00 FT. ON A LINE PARALLEL TO SAID EAST BRADY STREET TO A POINT ON THE WESTERLY LINE OF SAID NORTH PROSPECT AVENUE:

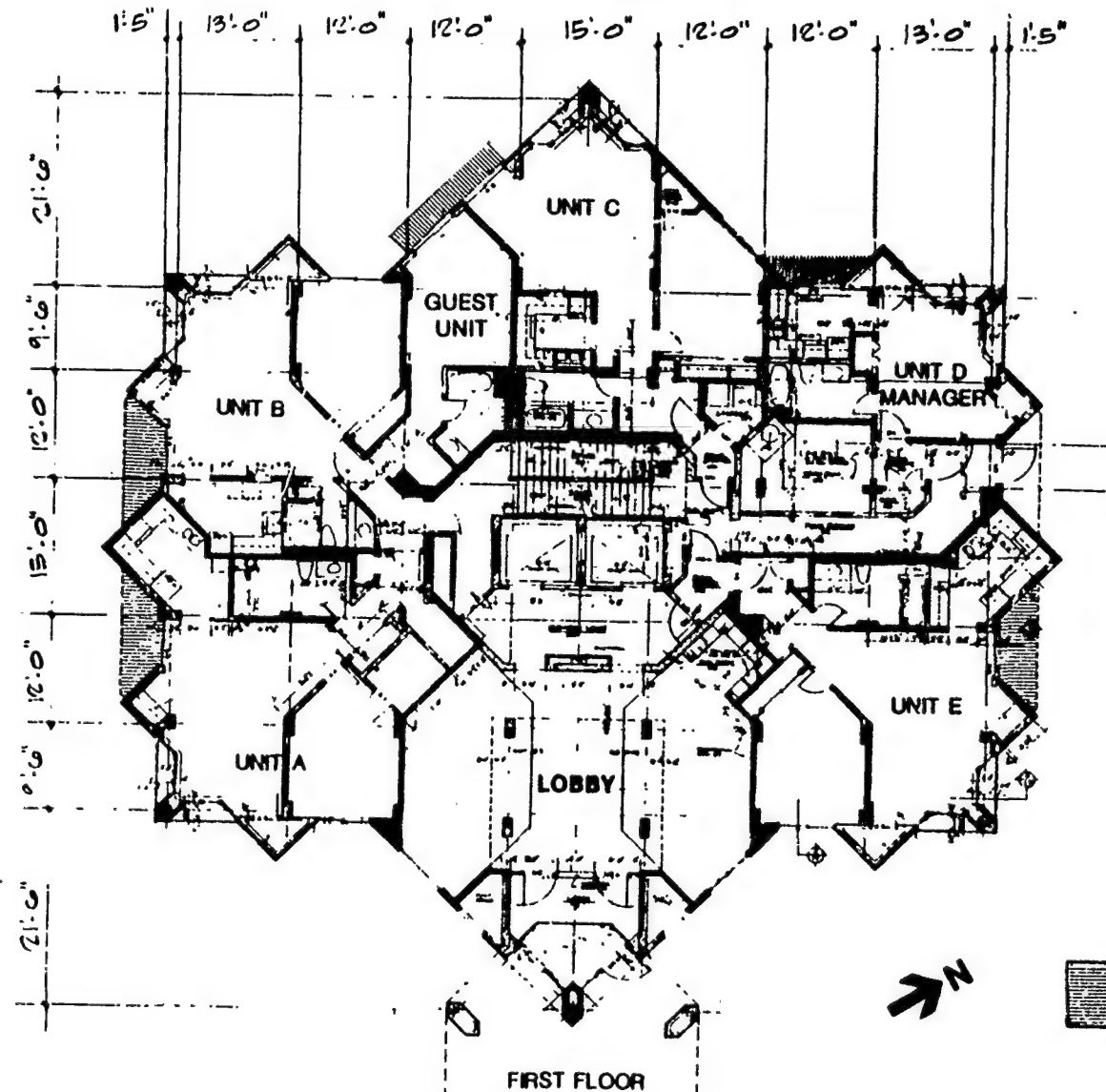
THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF NORTH PROSPECT AVENUE 61.35 FT. TO THE POINT OF BEGINNING.

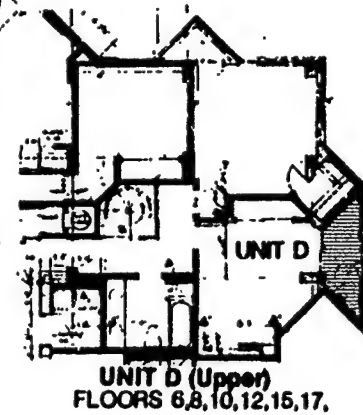
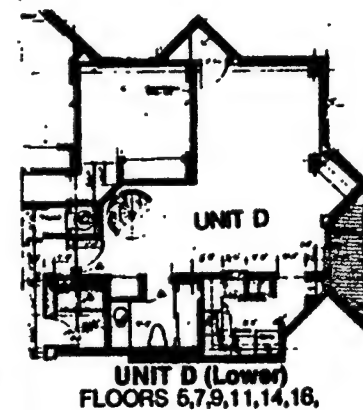
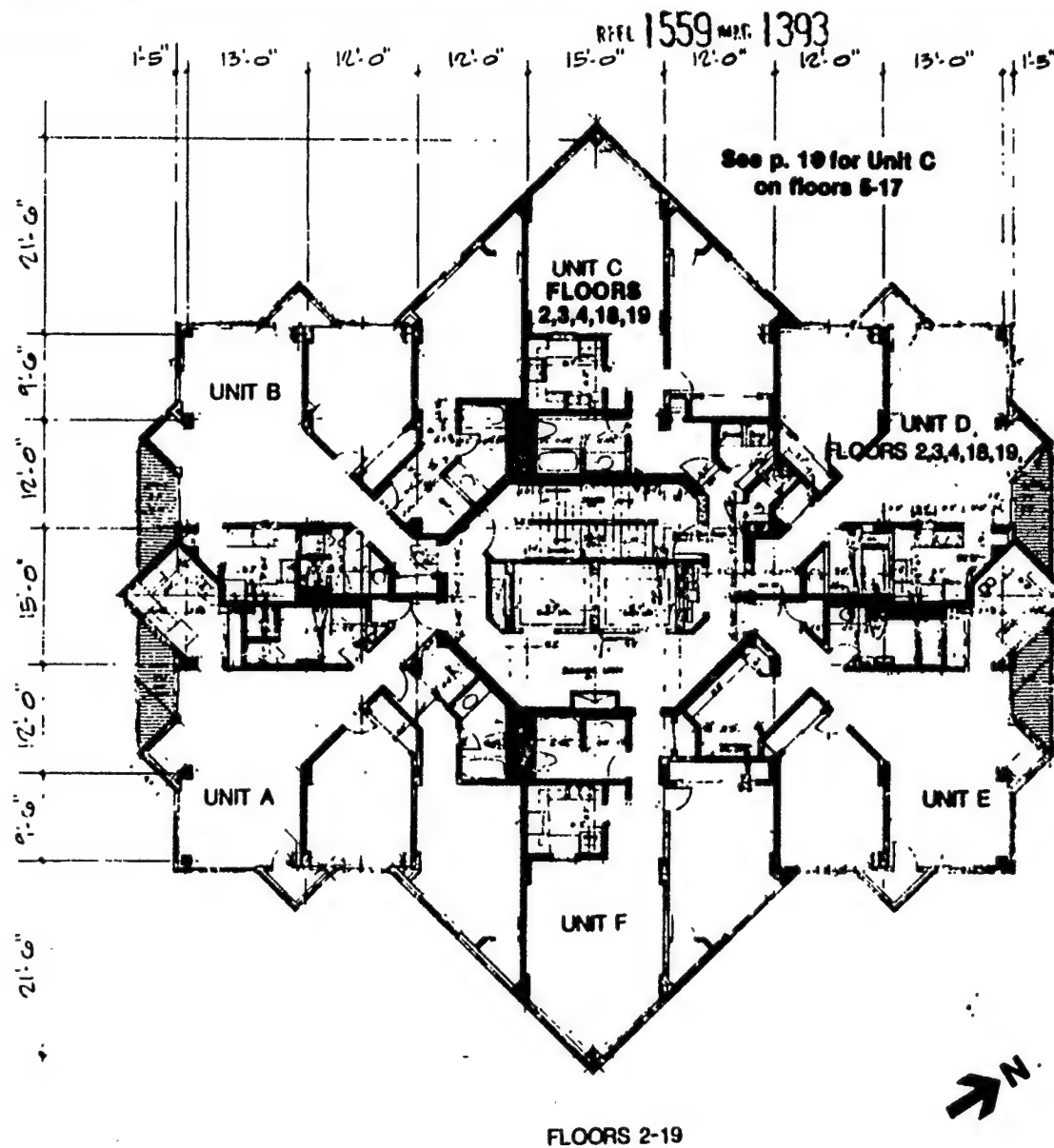
JANUARY 28, 1983

SURVEY NO. 146665-M

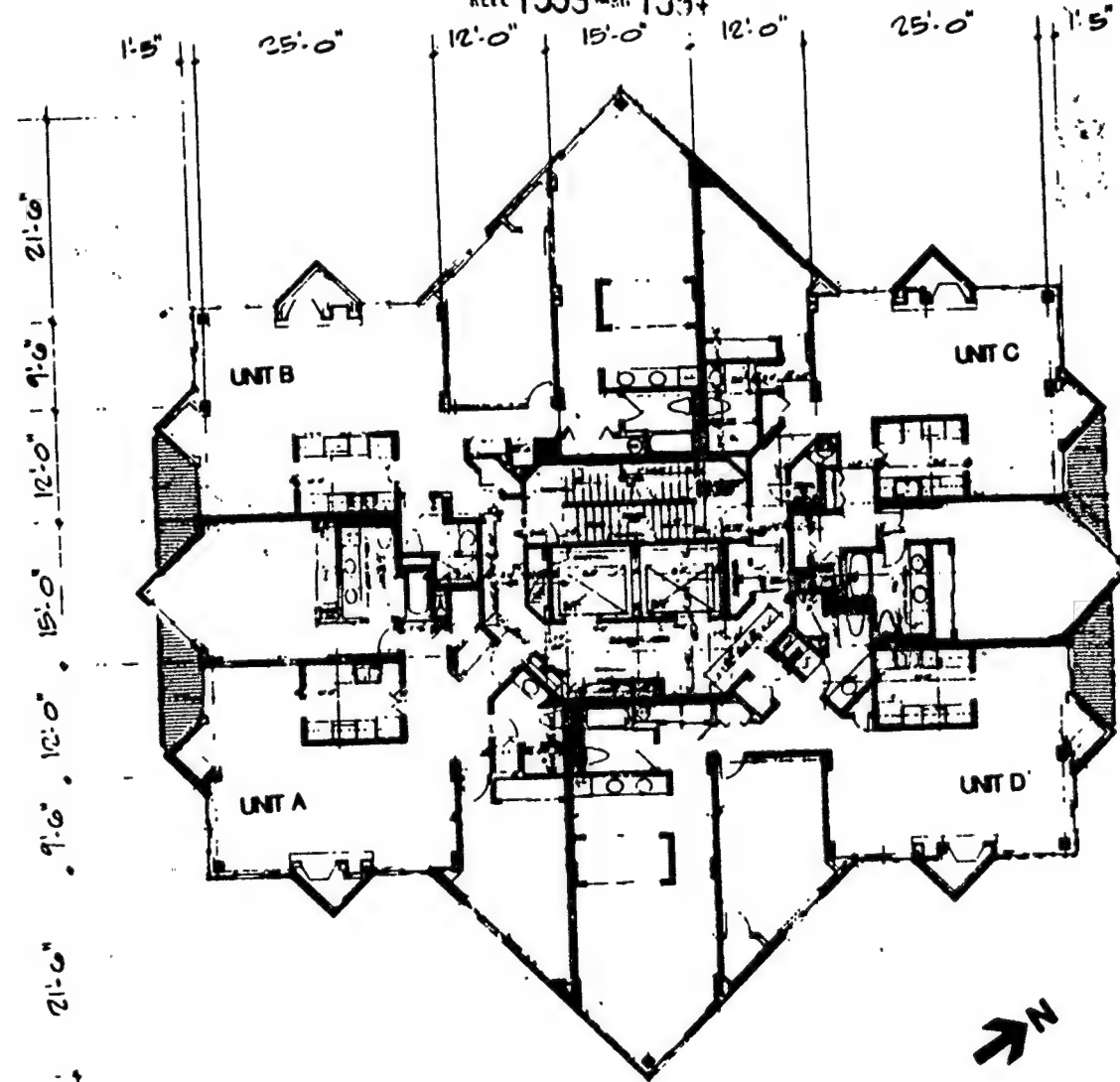
DIAMOND TOWER CONDOMINIUM
Legal Description

REF 1559 MAG 1392



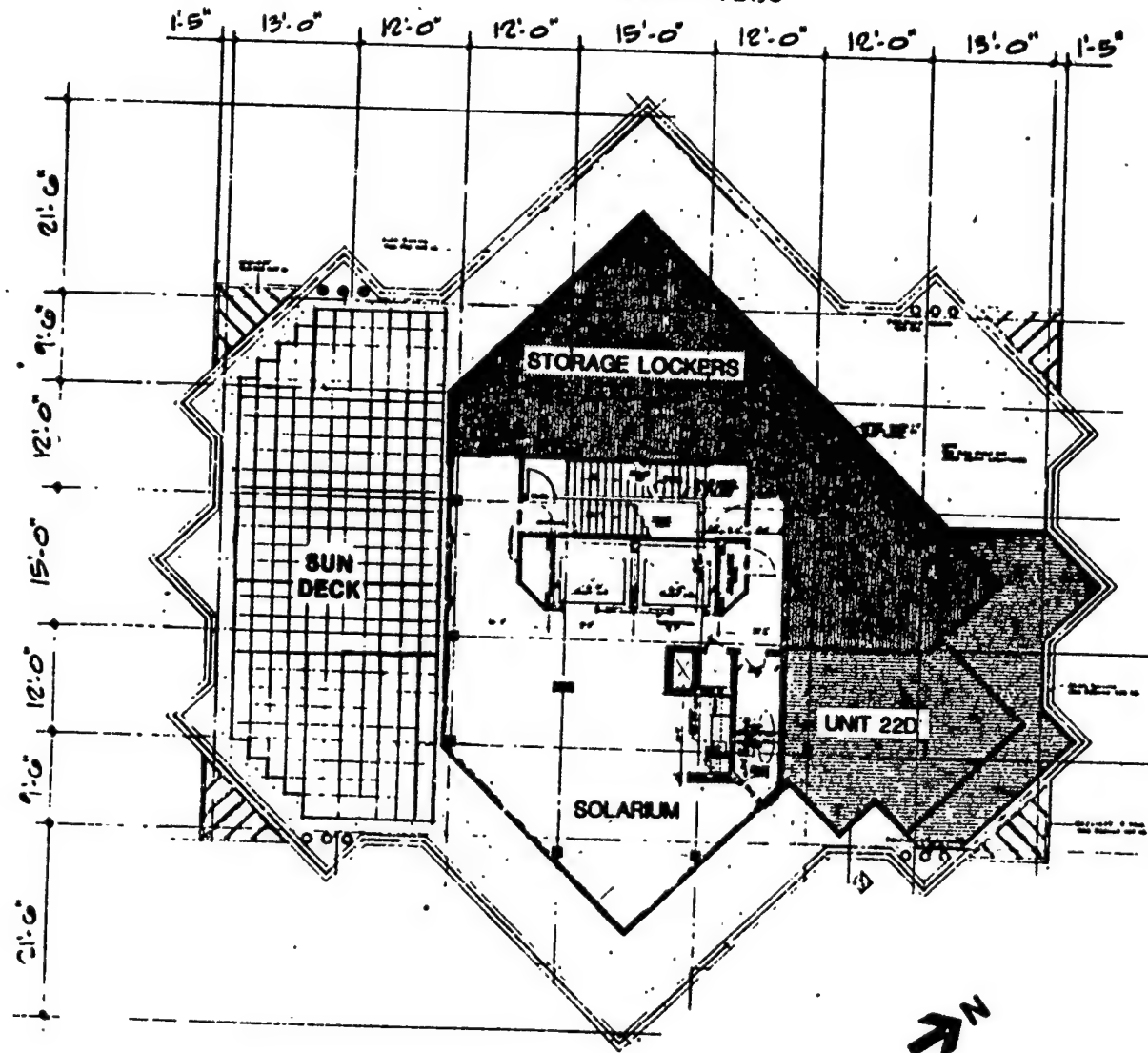


REF 1559 MAG 1394



FLOORS 20,22

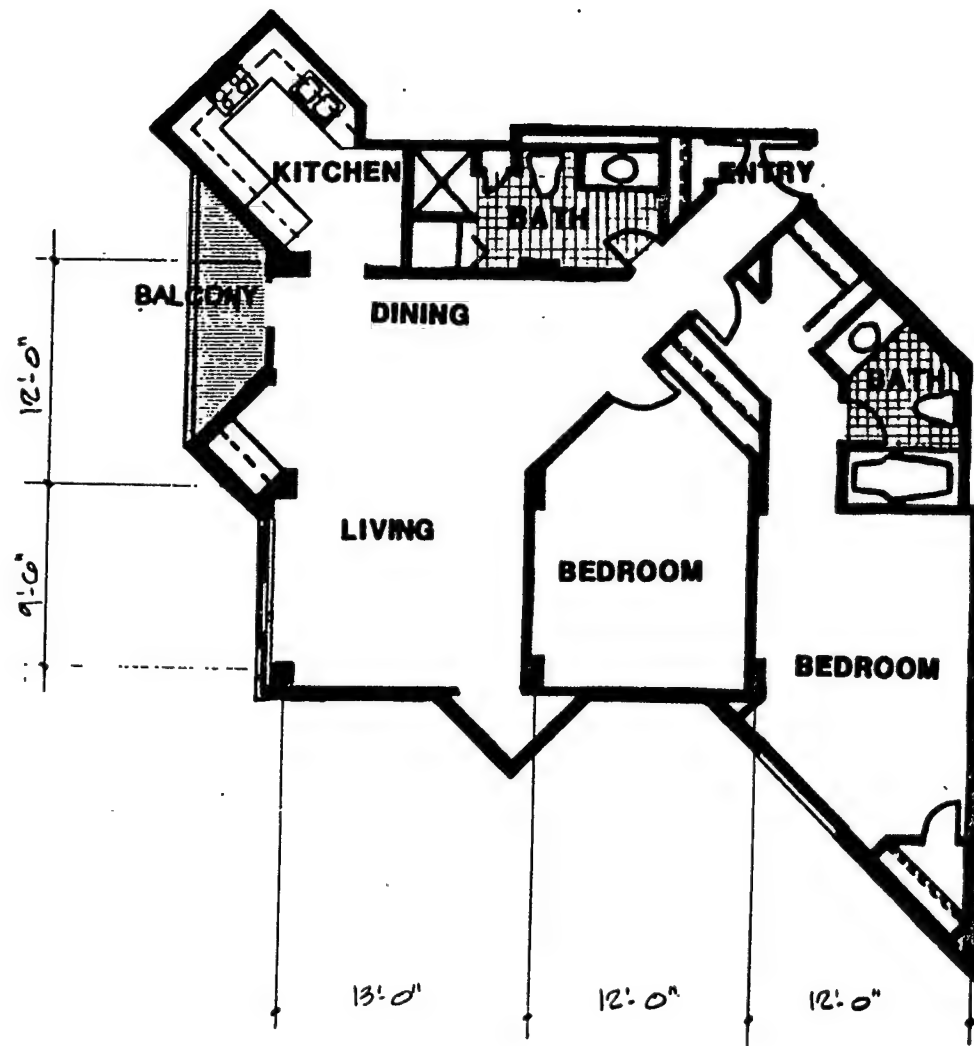
REF: 1559 MOD: 1395



SOLARIUM LEVEL

Diamond Tower Condominium
Condominium Plat — Page 6

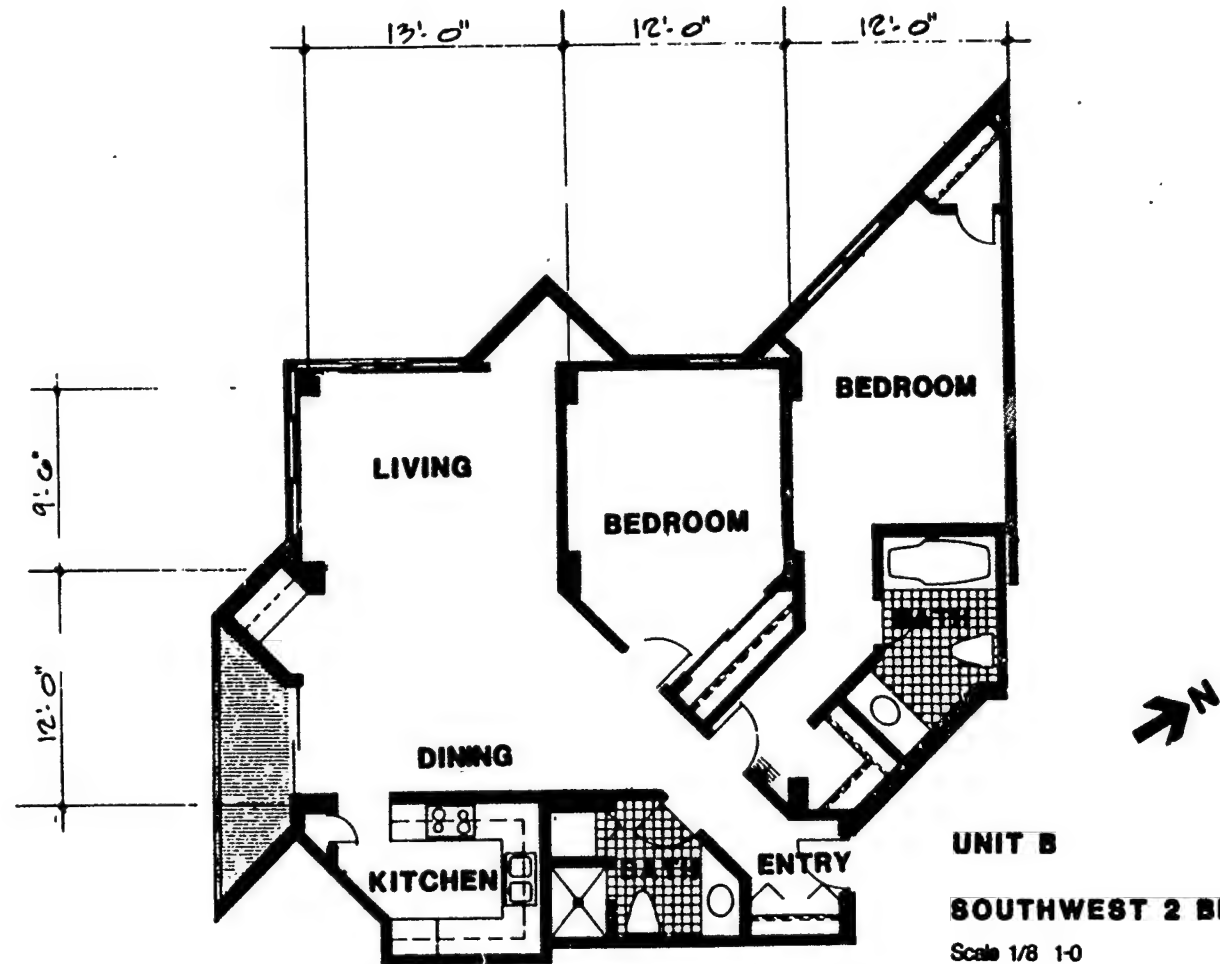
REF 1559 MAR 1396



UNIT A
SOUTHEAST 2 BEDROOM
Scale 1/8" = 1'-0"
FLOORS 2 - 19

Diamond Tower Condominium
Condominium Plat — Page 7

REF: 1559-1397



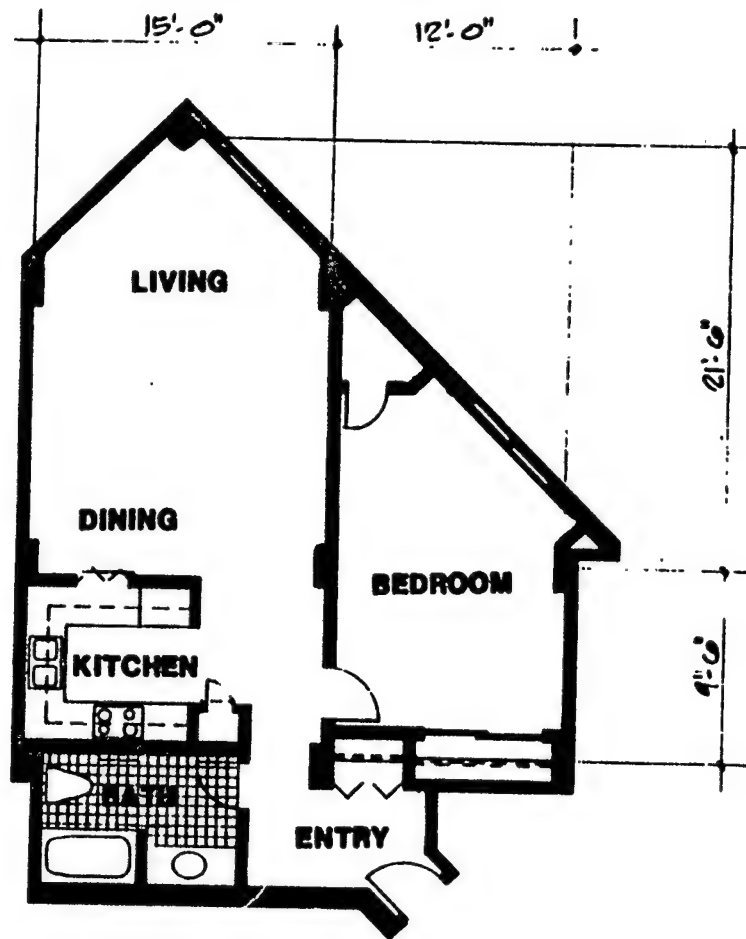
UNIT B

SOUTHWEST 2 BEDROOM

Scale 1/8" = 1'-0"

FLOORS 2 - 19

REF 1559 MAR 1398



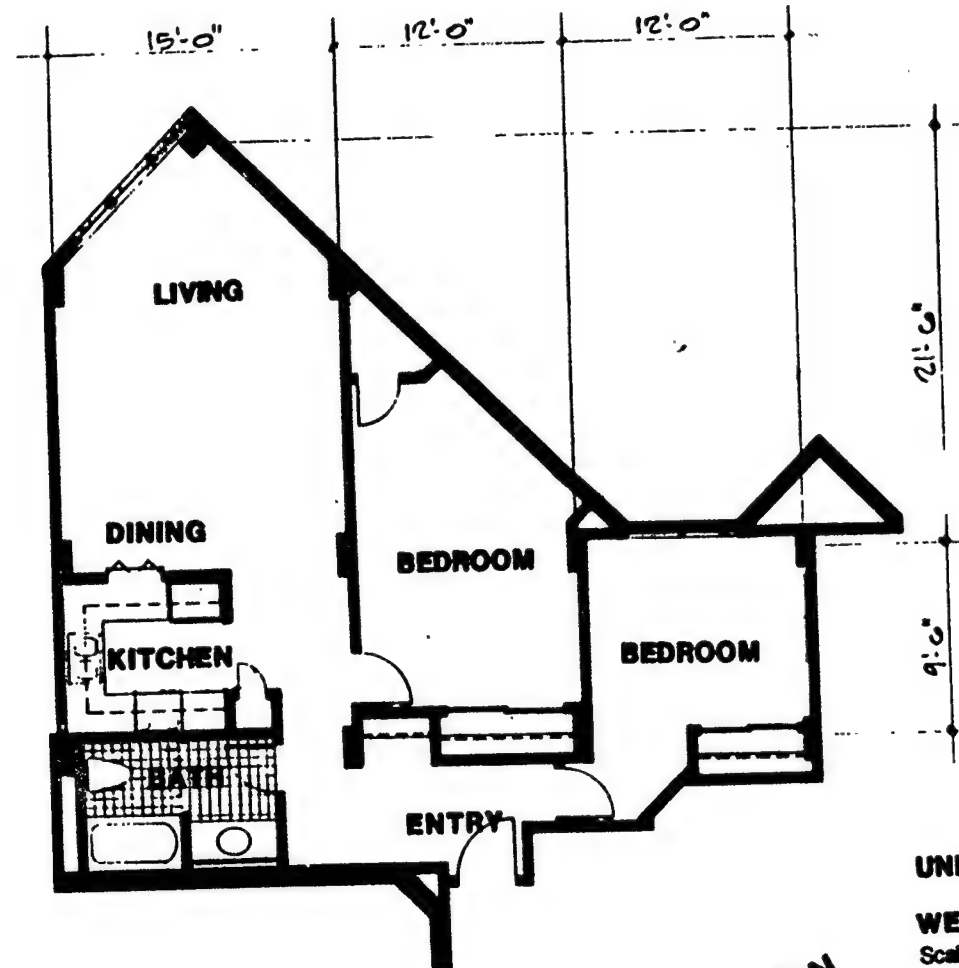
UNIT C
WEST 1 BEDROOM

Scale 1/8" = 1'-0"

FLOORS 2,3,4,18,19,

Diamond Tower Condominium
Condominium Plat — Page 9

REF 1559 MAR 1399



UNIT C

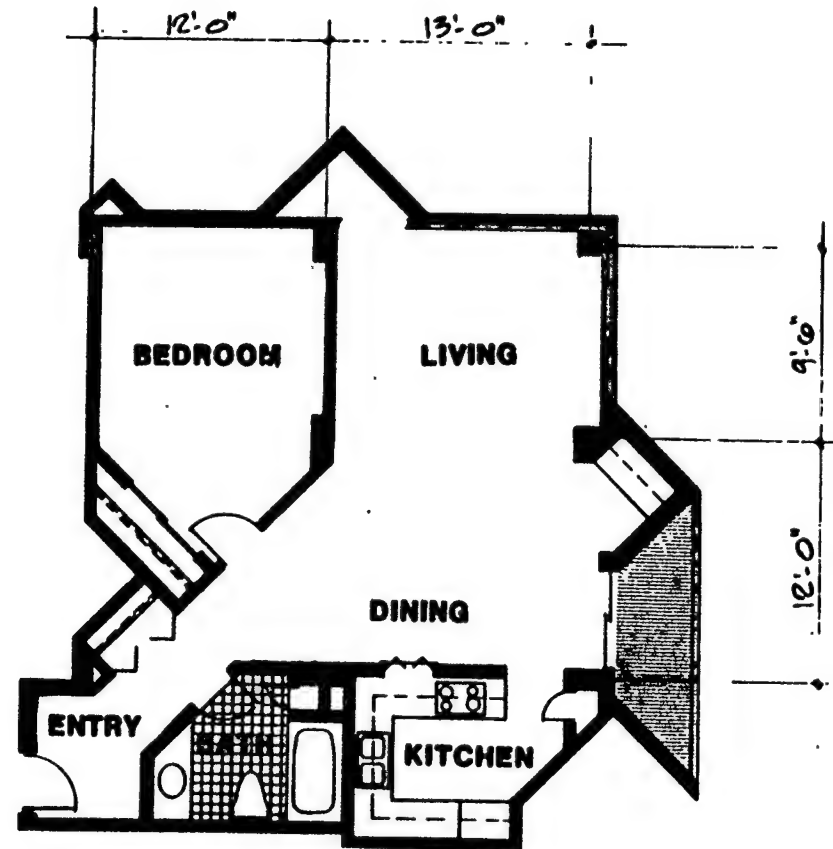
WEST 2 BEDROOM

Scale 1/8" = 1'-0"

FLOORS 5 - 17

Diamond Tower Condominium
Condominium Plat — Page 10

REF 1559 MAY 1400



UNIT D

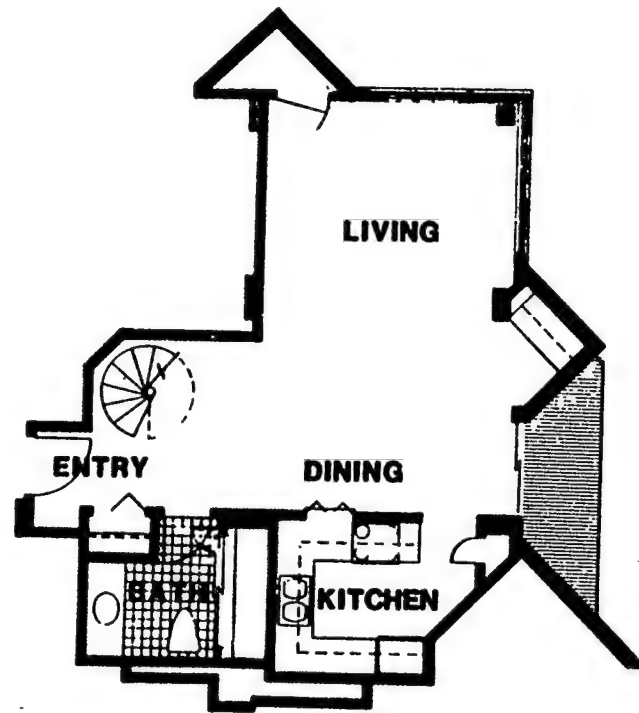
NORTHWEST 1 BEDROOM

Scale 1/8" = 1'-0"

FLOORS 2,3,4,18,19,

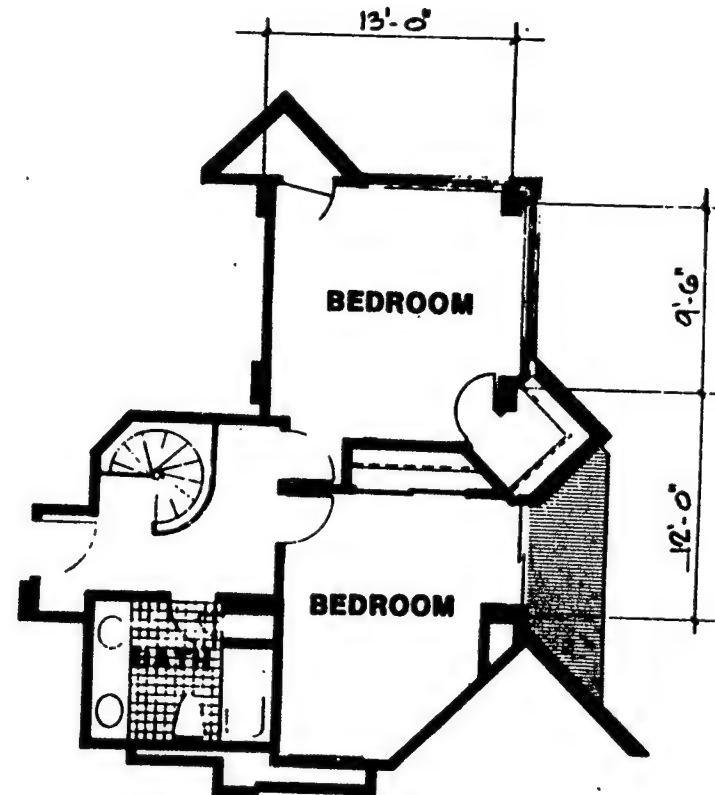
Diamond Tower Condominium
Condominium Plan — Page 11

REF 1559-1471



1st FLOOR

FLOORS 5,7,9,11,14,16,



2nd FLOOR

FLOORS 6,8,10,12,15,17

UNIT D

NORTHWEST 2 BEDROOM TOWNHOUSE UNITS

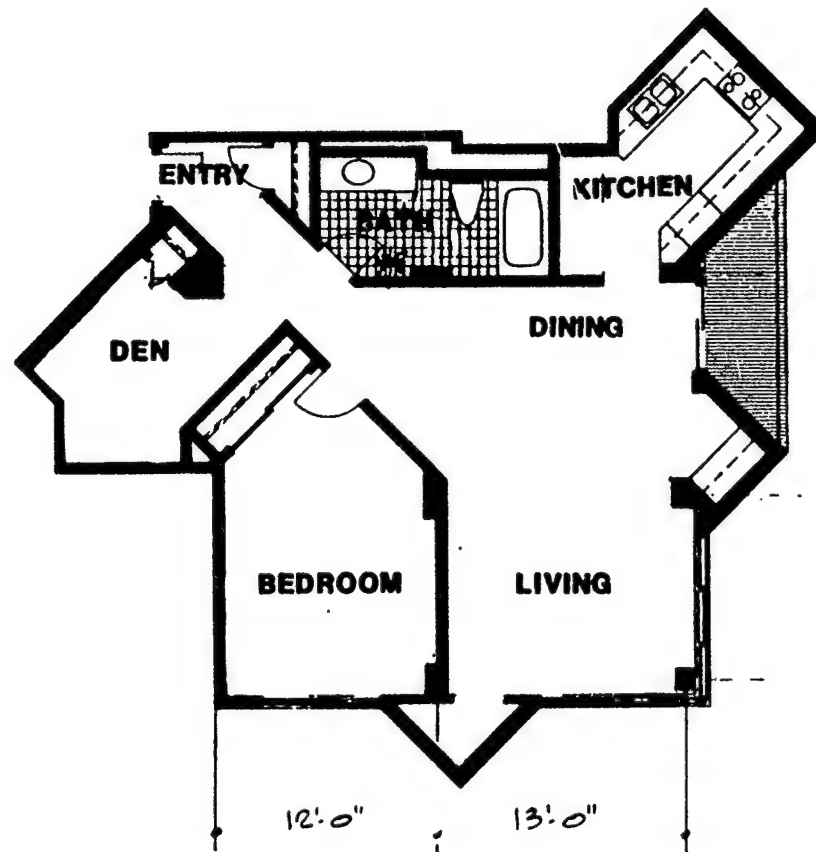
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FLOORS 5 - 17



Diamond Tower Condominium
Condominium Plat — Page 12

Rt# 1559 INT. 1402

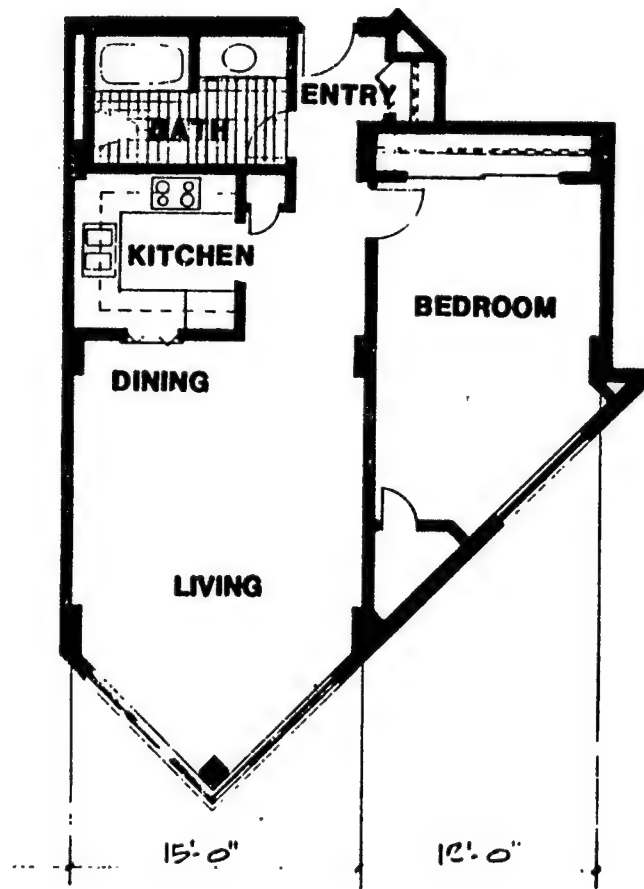


UNIT E
NORTHEAST
1 BEDROOM & DEN

Scale 1/8" = 1'-0"
FLOORS 2 - 19

Diamond Tower Condominium
Condominium Plot - Page 13

REF 1559 MAP 1403



UNIT F

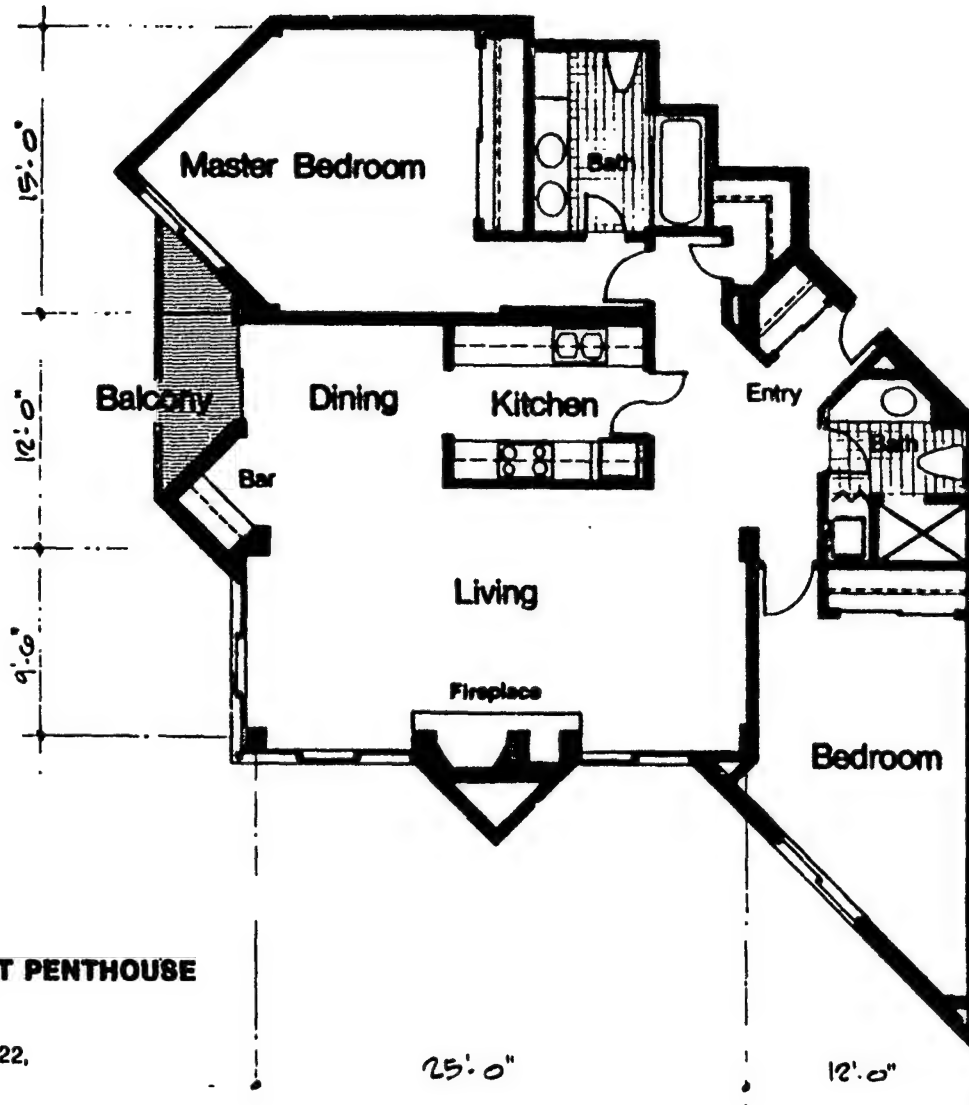
EAST 1 BEDROOM

Scale 1/8" = 1'-0"

FLOORS 2 - 19

Diamond Tower Condominium
Condominium Plat — Page 14

REF: 1559 425 1404

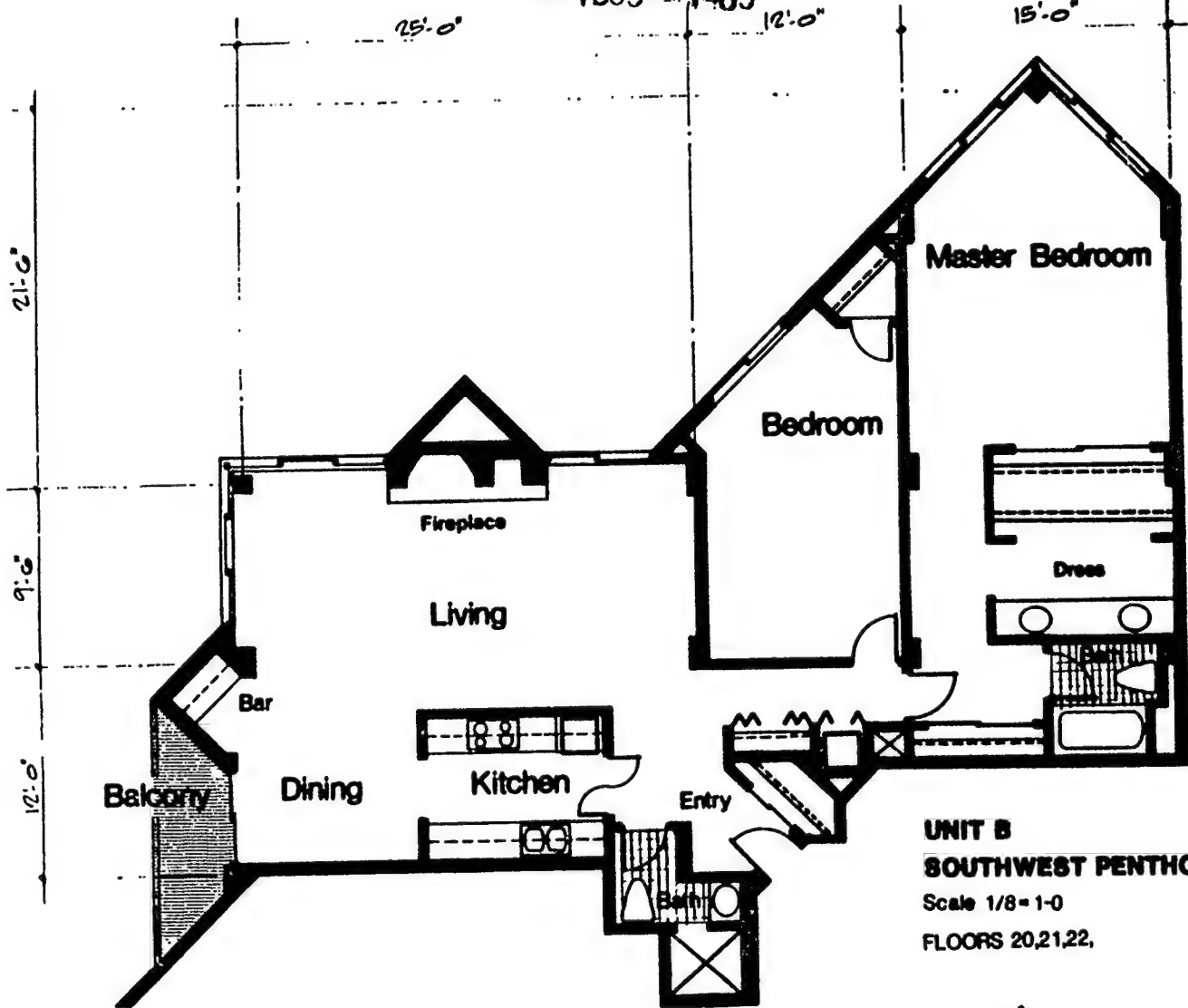


UNIT A
SOUTHEAST PENTHOUSE
Scale 1/8" = 1'-0"
FLOORS 20,21,22,



Diamond Tower Condominium
Condominium Plan — Page 15

REF 1559-1405



UNIT B
SOUTHWEST PENTHOUSE
Scale 1/8" = 1'-0"
FLOORS 20,21,22,



REF 1559-1406

25'-0"

12'-0"

Bedroom

Fireplace

Living

Entry

Trash

Kitchen

Dining

Bar

Balcony

9'-0"

12'-0"

15'-0"

**UNIT C,
NORTHWEST PENTHOUSE**

Scale 1/8" = 1'-0"

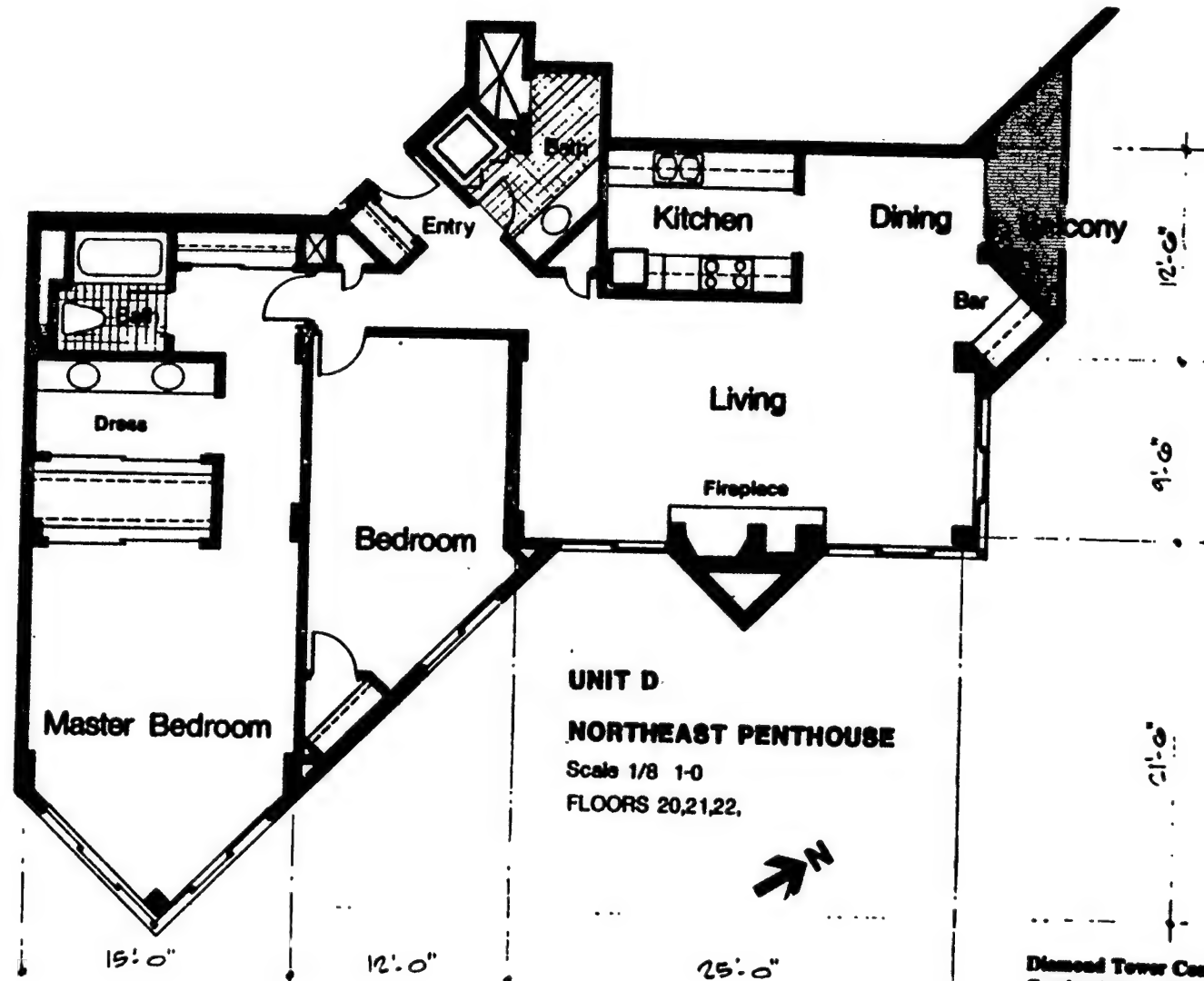
FLOORS 20,21,22.



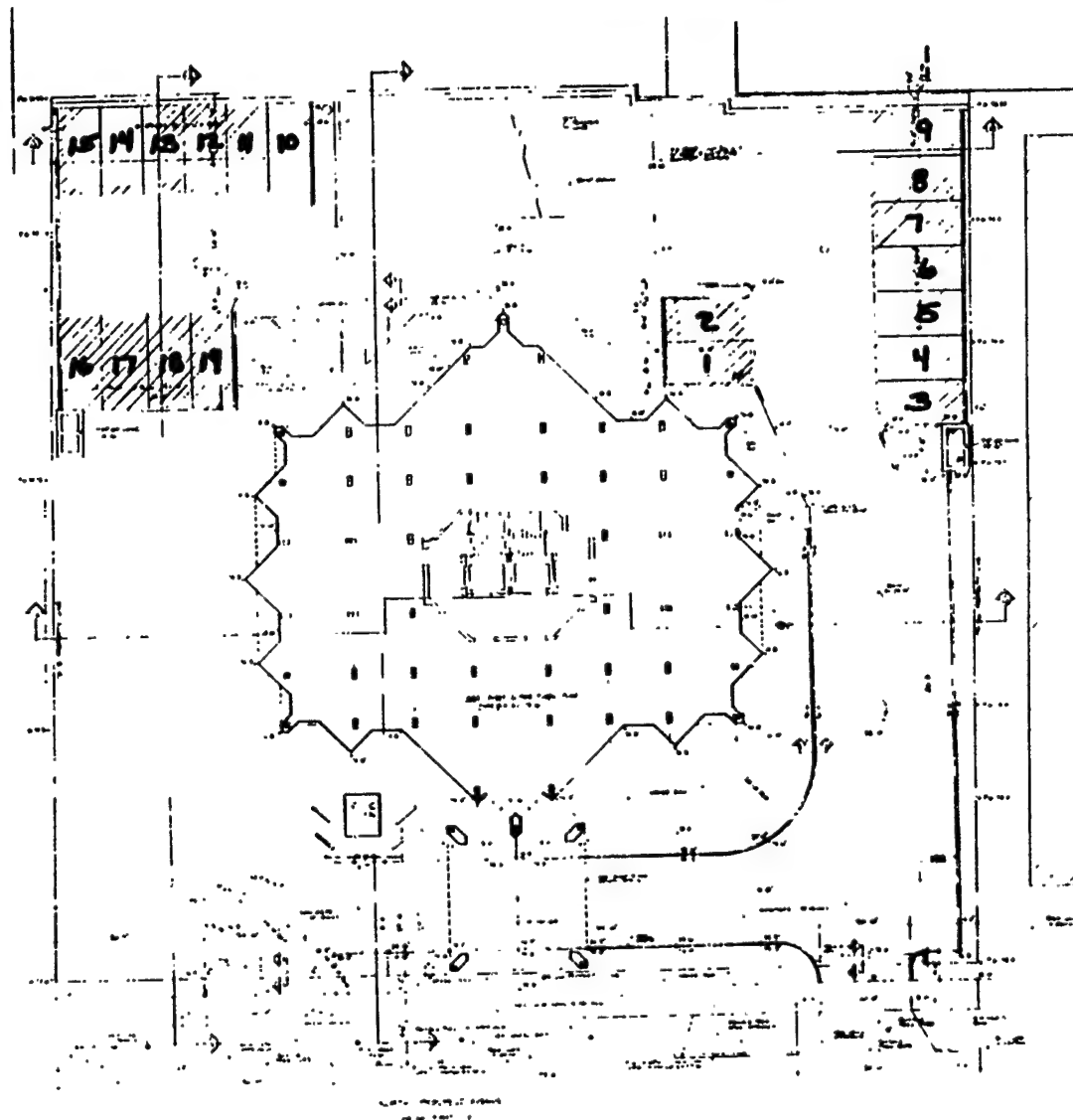
Master Bedroom

Bath

REF. 1559 UNIT 1407



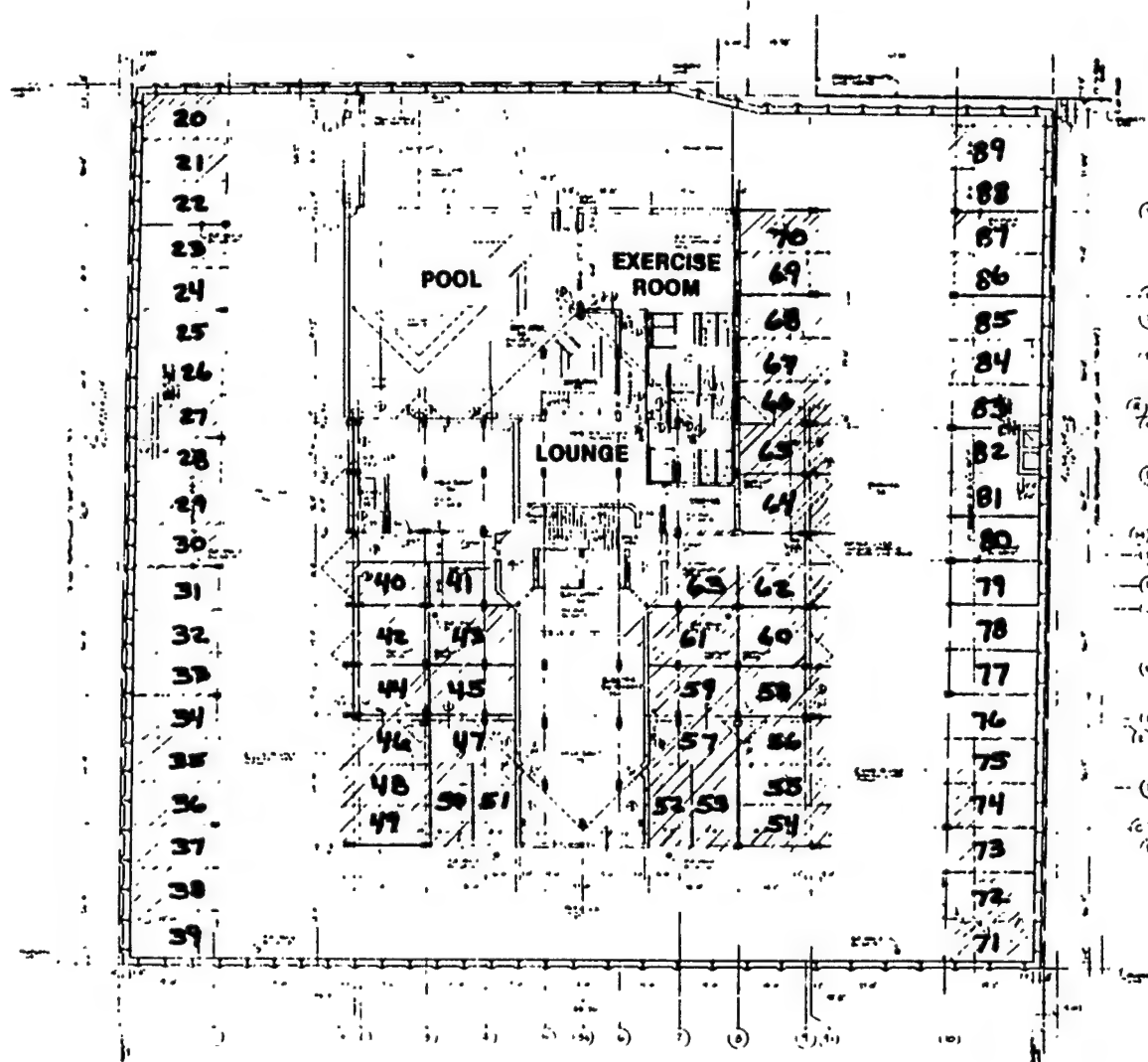
REF 1559 REG 1408



**SITE PLAN
SURFACE PARKING**

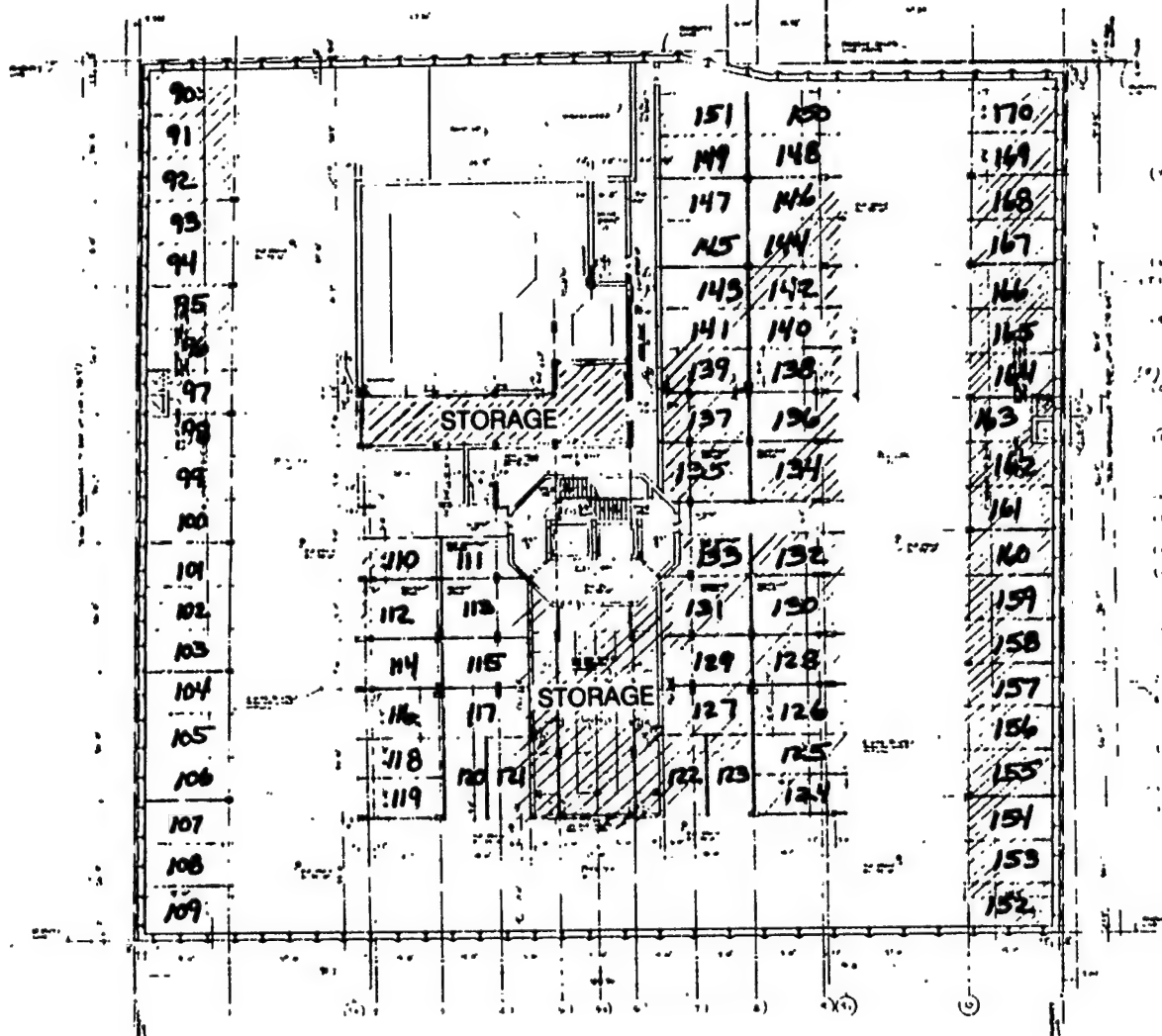
**Diamond Tower Condominium
Condominium Plot — Page 19**

RIT 1559 MAR 1409



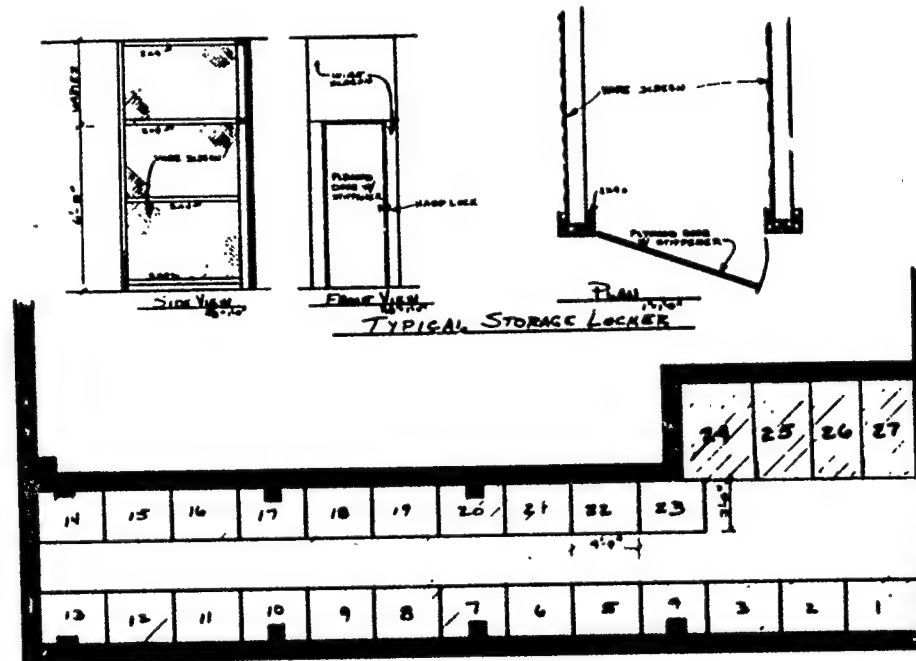
UPPER PARKING LEVEL

1559-1410



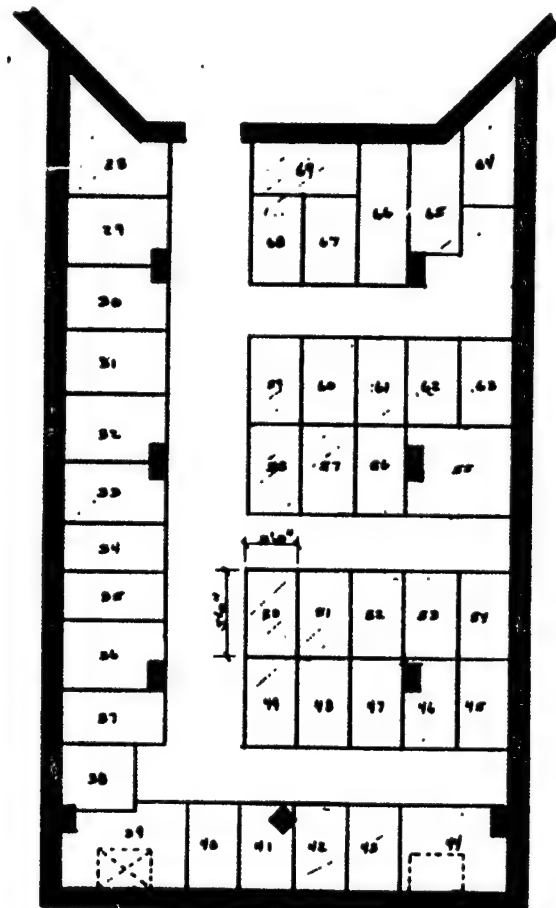
LOWER PARKING LEVEL

REF 1559 INC 1411



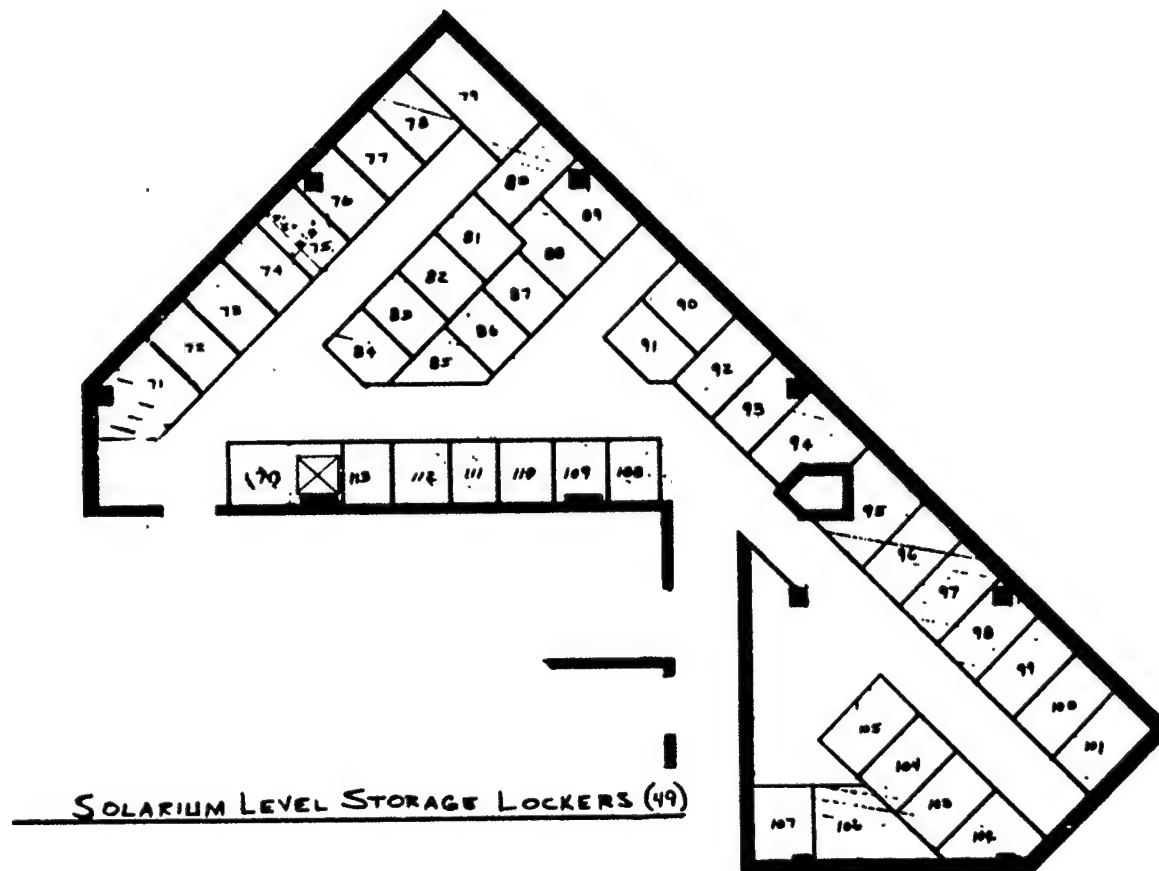
LOWER LEVEL STORAGE LOCKERS	
Sub A Bldg	(41)
Lower Level	(45)
115 TOTAL	

REF 1559 MAC 1412



LOWER LEVEL STORAGE LOCKERS

Diamond Tower Condominium
Condominium Plat — Page 23



REEL 1559 ^{WHS} 1414
DIAMOND TOWER CONDOMINIUM

Parking and Storage Assignments

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
1-A	10	1
1-B	11	2
1-C	2	3
1-D (Mgr.)	170	4
1-E	1	5
2-A	168	6
2-B	169	7
2-C	12	8
2-D	13	9
2-E	14	10
2-F	15	11
3-A	148/149	12
3-B	150/151	13
3-C	16	14
3-D	17	15
3-E	18	16
3-F	19	17
4-A	144/145	18
4-B	146/147	19
4-C	164	20
4-D	165	21
4-E	166	22
4-F	167	23
5-A	138/139	24
5-B	140/141	25
5-C	161	26
5-D	142/143	27
5-E	162	28
5-F	163	29
6-A	134/135	30
6-B	136/137	31
6-C	158	32
6-E	159	33
6-F	160	34
7-A	128/129	35
7-B	130/131	36
7-C	155	37
7-D	132/133	38

REMOVED BY 1001
1001 UNIT OWNER OF
UNIT 1001
CHANGES & ERECTION
DANIEL J. BIELASCU
BEING 1001

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
7-E	156	39
7-F	157	40
8-A	116/117	41
8-B	126/127	42
8-C	152	43
8-E	153	44
8-F	154	45
9-A	110/111	46
9-B	112/113	47
9-C	123	48
9-D	114/115	49
9-E	124	50
9-F	125	51
10-A	60/61	52
10-B	62/63	53
10-C	120	54
10-E	121	55
10-F	122	56
11-A	46/47	57
11-B	56/57	58
11-C	109	59
11-D	58/59	60
11-E	118	61
11-F	119	62
12-A	42/43	63
12-B	44/45	64
12-C	106	65
12-E	107	66
12-F	108	67
14-A	99/100	68
14-B	101/102	69
14-C	103	70
14-D	40/41	110
14-E	104	72
14-F	105	73
15-A	92/93	74
15-B	94/95	75
15-C	96	76
15-E	97	77

Diamond Tower Condominium
Condominium Plat - Page 25

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
15-F	98	78
16-A	83/84	79
16-B	85/86	80
16-C	87	81
16-D	88/89	82
16-E	90	83
16-F	91	84
17-A	76/77	85
17-B	78/79	86
17-C	80	87
17-E	81	88
17-F	82	89
18-A	68/69	90
18-B	71/72	91
18-C	70	92
18-D	73	93
18-E	74	94
18-F	75	95
19-A	48/49	96
19-B	54/55	97
19-C	64	98
19-D	65	99
19-E	66	100
19-F	67	101
20-A	24/25	102
20-B	26/27	103
20-C	20/21	104
20-D	22/23	105
21-A	32/33	106
21-B	34/35	107
21-C	28/29	108
21-D	30/31	109
22-A	52/53	71
22-B	50/51	111
22-C	36/37	112
22-D	38/39	113

Guest Unit 4
Unreserved
Guest 3,5,6,
Parking 7,8,9

REEL 1561 WSP 1387

QB082283

Restated

ARTICLES OF INCORPORATION

OF

DIAMOND TOWER CONDOMINIUM ASSOCIATION, LTD.
(A Non-Stock, Non-Profit Corporation)

The following Restated Articles of Incorporation, duly adopted pursuant to the authority and provisions of the Wisconsin Non-Stock Corporation Law, Chapter 181 of the Wisconsin Statutes, supersede and take the place of the existing Articles of Incorporation and Amendments thereto:

ARTICLE I

Name

The name of the Corporation is **DIAMOND TOWER CONDOMINIUM ASSOCIATION, LTD.** (the "Association").

ARTICLE II

Period of Existence

The period of existence of the Association shall be perpetual.

ARTICLE III

Purposes

The purposes for which this Association is organized are as follows:

(a) To serve as an association of unit owners who own real estate and improvements under the condominium form of ownership (such real estate and improvements hereinafter sometimes referred to as "condominium property"), as provided in the Condominium Ownership Act under the laws of the State of Wisconsin and subject to the terms and conditions of the Condominium Declaration for **DIAMOND TOWER CONDOMINIUM**, as recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin (hereinafter referred to as "Declaration");

(b) To serve as a means through which the unit owners may collectively and efficiently administer, manage, operate and control the condominium property in accordance with the Condominium Ownership Act and the Declaration; and

(c) To engage in lawful activity included in and permitted under the Condominium Ownership Act and the Declaration within the purposes for which a non-stock, non-profit corporation may be organized under the Wisconsin Non-Stock Corporation Law.

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245-764-13X
ENCLOSURE

ARTICLE IV

Powers

The Association shall have and exercise all of the powers enumerated in the Wisconsin Condominium Ownership Act and the Wisconsin Non-Stock Corporation Law, to the extent not inconsistent with the Condominium Ownership Act, or the Declaration, or the By-Laws, including without limitation, the following:

- (a) To exercise exclusive management and control of the common elements and facilities and limited common elements described and set forth in the Declaration;
- (b) To hire, engage or employ and discharge such persons or entities as it may deem necessary or advisable to assist in the management of its affairs or to properly effectuate the duties and responsibilities of the Association as set forth in the Declaration, and to delegate such duties and powers of the Association to such persons or entities as may be deemed necessary or advisable by the Board of Directors of the Association from time to time;
- (c) To maintain, repair, replace, reconstruct, operate, preserve and protect the common elements and facilities and limited common elements as set forth in the Declaration;
- (d) To determine, levy and collect assessments against the unit owners and use the proceeds thereof in the exercise of its powers and duties, including without limitation, the payment of operating expenses of the Association and the common expenses relating to the maintenance, repair, replacement, reconstruction, operation, use, preservation and protection of the common elements and facilities and limited common elements as described and set forth in the Declaration;
- (e) To enter into contracts on behalf of the unit owners and act as agent of the unit owners, with regard to, among other things, common services as required for each unit, utilities, and such other matters as may be determined by the members of the Association;
- (f) To purchase insurance on the condominium property and insurance for the benefit of the Association and its members as set forth in the Declaration;
- (g) To make and amend By-Laws and reasonable rules and regulations governing, among other things, the use and operation of the condominium property in the manner provided by the Declaration;
- (h) To enforce by legal means the provisions of the Condominium Ownership Act, the Declaration, the By-Laws, assessments and liens against the units, and any rules and regulations governing the use and operation of the condominium property;
- (i) To establish and maintain one or more bank accounts for deposit and withdrawal of the funds of the Association; and

(5) To do all things necessary or convenient to effectuate the purposes of this Association and the Declaration, including without limitation the exercise of all powers and duties contained in the Declaration and in the By-Laws of the Association.

ARTICLE V

Members

All owners of units in DIAMOND TOWER CONDOMINIUM shall be entitled and required to be members of the Association, and membership shall be limited to such owners. The respective rights, qualifications and obligations of membership shall be as set forth in the By-Laws of the Association.

ARTICLE VI

Directors

The number of directors of the corporation shall be as fixed in the By-Laws, but in no event shall be less than three (3). The manner in which directors shall be elected, appointed or removed shall be provided in the By-Laws.

The number of directors constituting the first Board of Directors shall be three (3), and the names and addresses of such directors are:

Fond du Lac, Wisconsin 54935

Fond du Lac, Wisconsin 54935

Fond du Lac, Wisconsin 54935

ARTICLE VII

Officers

The principal officers of the Association shall be a President, a Vice President, a Secretary, and a Treasurer. The officers shall be elected, appointed or removed in the manner provided by the By-Laws, and shall have and exercise the powers and duties assigned in the By-Laws.

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ARTICLE VIII

Amendment

These Articles may be amended in the manner provided by law at the time of amendment.

ARTICLE IX

Stock, Dividends, Dissolution

The Association shall not have or issue shares of stock. No dividend shall ever be paid to members of the Association, and no part of the income, assets or surplus of the Association shall be distributed to its members, directors, or officers, except upon dissolution of the Association. The Association may pay compensation in reasonable amounts to employees, members, directors, or officers for services rendered, except as limited in the By-Laws, and may confer benefits upon its members in conformity with its purposes.

In the event of dissolution of the Association, and the removal of DIAMOND TOWER CONDOMINIUM from the provisions of the Wisconsin Condominium Ownership Act, all of the Association's assets, after payment of its liabilities and obligations, shall be distributed to the members of the Association in accordance with their undivided percentage interest in the common elements of the condominium.

ARTICLE X

Principal Office and Registered Agent

The location of the principal office of the Association at the date hereof is 1633 North Prospect Avenue, Milwaukee, Milwaukee County, Wisconsin 53202, and the registered agent at such address shall be George F. Hutter.

ARTICLE XI

Certification

The undersigned officers of the Association certify that the foregoing Restatement of the Articles of Incorporation of the Association was duly adopted on the 15th day of August, 1983 by the affirmative vote of the sole member of the Association having voting rights as of such date.

REEL 1561 PAGE 1391

IN WITNESS WHEREOF, the undersigned have executed these Articles in duplicate
this 23 day of August, 1983.



STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

On this 23rd day of August, 1983 personally appeared before me the above
named

Diamond Tower Condominium Association, Inc. and who executed the foregoing
Articles of Incorporation, and acknowledged that they executed the same as the act and
deed of said Association.

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Susan T. Wisniewski
Susan T. Wisniewski
Notary Public, State of Wisconsin
My Commission: expires 6/13/84

This instrument was drafted by:

Quarles & Brady
Attorneys at Law
780 North Water Street
Milwaukee, Wisconsin 53202

Return
to:

Box 142

STATE OF WISCONSIN
FILED
AUG 24 1983
DOUGLAS LA FOLLETTE
SECRETARY OF STATE

FORM 14

United States of America

State of Wisconsin

OFFICE OF THE SECRETARY OF STATE

REGISTER'S OFFICE
Milwaukee County, WI } ss

RECORDED AT 10:30 AM

AUG 30 1983 13875

REEL 1561 IMAGE 1392

REGISTER
OF DEEDS*To All to Whom These Presents Shall Come:*

The undersigned, as Secretary of State of the State of Wisconsin, certifies that the attached is a duplicate of a document accepted and filed in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at Madison, on the date of filing of said document.

Douglas La Follette

DOUGLAS La FOLLETTE
Secretary of State

14.00
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260793
AUG-30-83

REEL 1619 MAG 1033

QB022384 5699298

REGISTER'S OFFICE
Milwaukee County, WI
RECORDED AT 2:05 PM

AMENDMENT TO CONDOMINIUM DECLARATION
AND
CONDOMINIUM PLAT

MAR - 9 1984 1033
REEL 1619 IMAGE 1038

W. H. Engel REGISTER OF DEEDS

THIS AMENDMENT, made as of this 7th day of March 1984, pursuant to the affirmative written consent of at least seventy-five percent (75%) of the unit owners and mortgagees (together hereinafter "Owners") of Diamond Tower Condominium (the "Condominium") to the Condominium Declaration for the Condominium recorded on August 23, 1983 in the office of the Register of Deeds for Milwaukee County, Wisconsin, in Reel 1559, Images 1374-1414, inclusive, as Document No. 5646004 (the "Declaration") and the Condominium Plat for Diamond Tower Condominium recorded on August 23, 1983 in the office of the Register of Deeds for Milwaukee County, Wisconsin as a part of the Declaration (the "Condominium Plat"),

W I T N E S S E T H :

WHEREAS, Owners own and/or hold mortgages on condominium units in the Condominium; and

WHEREAS, Owners are desirous of amending the Declaration and the Condominium Plat in the respects set forth hereinafter;

NOW, THEREFORE, pursuant to requirements of the Declaration and the Condominium Ownership Act of the State of Wisconsin, Owners hereby make the following amendments:

1. The Declaration is hereby amended by changing the manager's unit from Unit 1-D to Unit 2-C.

1.1 Section 8 of the Declaration is amended by deleting Unit 2-C (.58%), and adding the following unit and percentage of ownership:

Unit No.	Percentage
1-D	.58%

DOC # 5699298 #
RECORD 14.00
D CASH D 14.00
#46181 C001 R01 T14:03
MAR 9 84

1.2 Page 3 of the Condominium Plat is deleted and replaced in its entirety by Page 3 (amended) of the Condominium Plat, showing the revised floor plan for Unit 1-A and deleting the notation designating Unit 1-D as the manager's unit.

1.3 Page 4 of the Condominium Plat is deleted and replaced in its entirety by Page 4 (amended) of the Condominium Plat, showing a notation designating Unit 2-C as the manager's unit.

245-764-13X

ENCLOSURE

2. The Declaration is hereby amended by changing the storage locker for Unit 22-A from No. 71 to No. 106, and assigning No. 71 to Unit 21-A.

3. The Declaration is hereby amended by changing the parking spaces for Unit 12-B from Nos. 44-45 to Nos. 46-47, and assigning Nos. 44-45 to Unit 11-A.

4. Page 25 of the Condominium Plat is deleted and replaced in its entirety by Page 25 (amended) of the Condominium Plat, reflecting the following changes:

4.1 Change of manager's unit from Unit 1-D to Unit 2-C.

4.2 Change of storage locker assignment for Unit 22-A from No. 71 to No. 106, and assignment of No. 71 to Unit 21-A.

4.3 Change of parking assignment for Unit 12-B from Nos. 44-45 to Nos. 46-47, and assignment of Nos. 44-45 to Unit 11-A.

The Declaration and Condominium Plat, as amended herein, otherwise remain unchanged and in full force and effect.

The effective date of the foregoing amendments shall be the date this Amendment is recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin.

IN WITNESS WHEREOF, this Amendment has been executed with the written consent of at least 75% of the unit owners and mortgagees of the Condominium at the date hereof, and the undersigned officers of the Association of unit owners for the Condominium hereby certify and attest by their signatures hereto, that the foregoing Amendment has been adopted with the written consent of 75% of the unit owners in the Condominium, and their mortgagees, in the manner provided in the Wisconsin Condominium Ownership Act, and that the Declarant has consented in writing to this Amendment. The undersigned further certify that the written consents of the unit owners and their mortgagees to this Amendment are on file and available for inspection at the offices of the Association.

DIAMOND TOWER CONDOMINIUM
ASSOCIATION, LTD.

By:

APPROVED BY DECLARANT:

THE HUTTER CONSTRUCTION CO.
(Declarant)

By:

Attest:

STATE OF WISCONSIN)
 : SS.
 FOND DU LAC COUNTY)

Personally came before me this 7th day of March, 1984,
 the above-named [redacted], to me
 known to be the [redacted] respectively, of
 DIAMOND TOWER CONDOMINIUM ASSOCIATION, LTD., and who executed
 the foregoing instrument and acknowledged the same as the act
 and deed of said corporation.

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[Signature]
 Notary Public, State of Wisconsin
 My Commission January 31, 1988

STATE OF WISCONSIN)
 : SS.
 FOND DU LAC COUNTY)

Personally came before me this 7th day of March, 1984,
 the above-named [redacted]
 [redacted] respectively, of
 THE HUTTER CONSTRUCTION CO., and who executed the foregoing instru-
 ment and acknowledged the same as the act and deed of said corpora-
 tion.

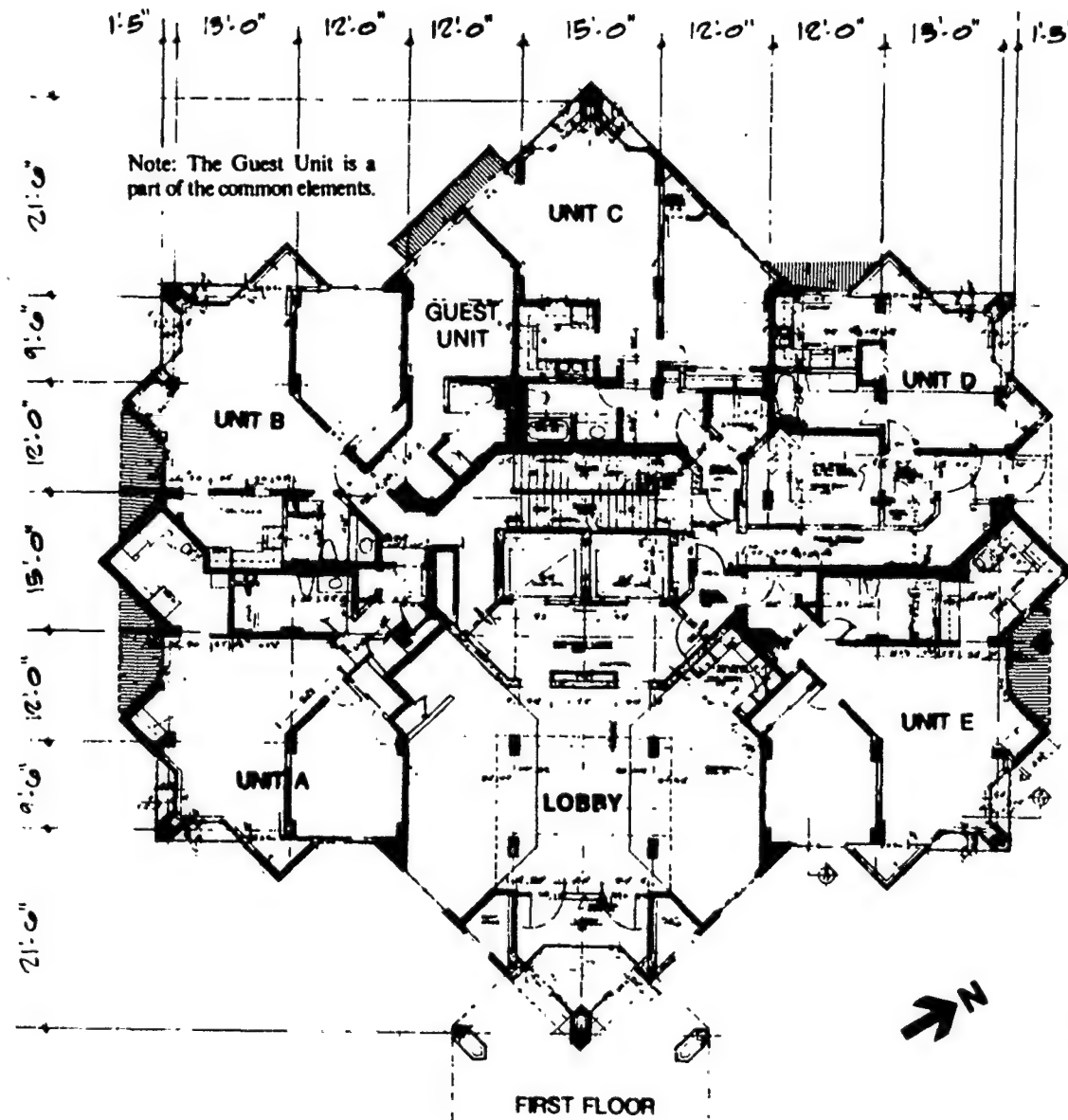
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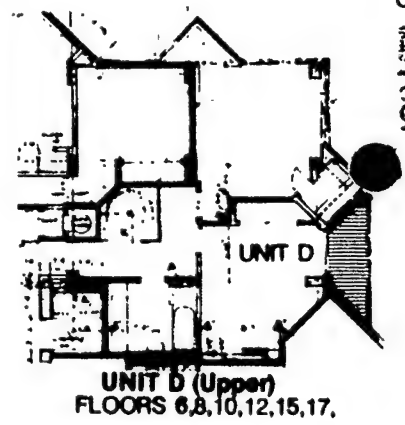
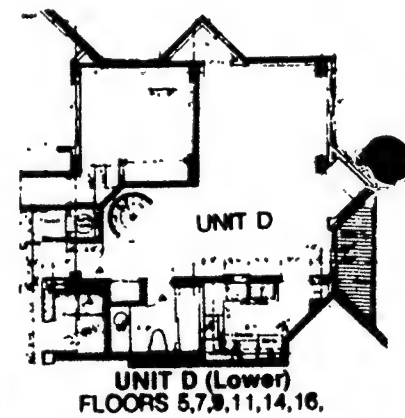
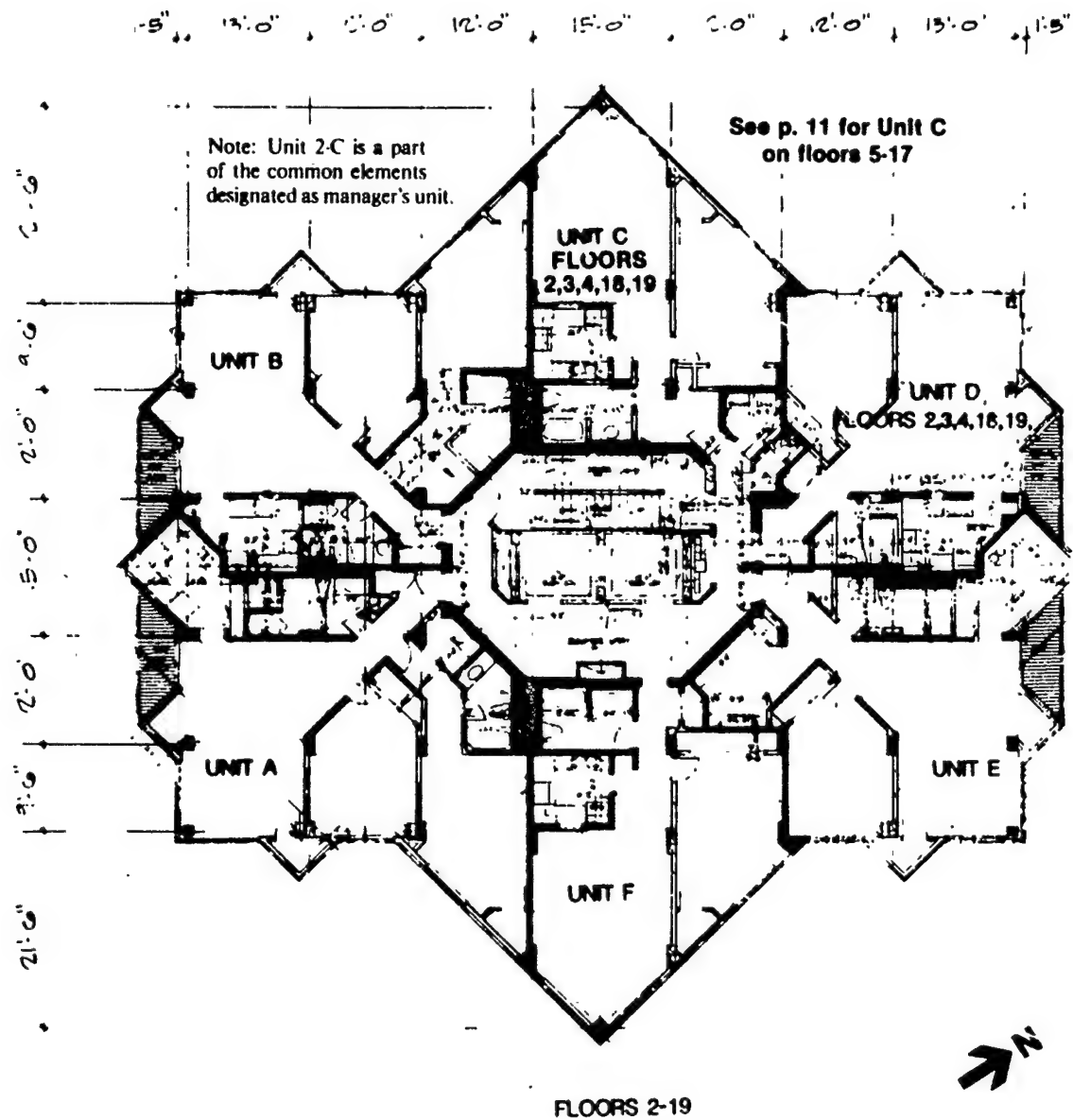
[Signature]
 Notary Public, State of Wisconsin
 My Commission January 31, 1988

This Instrument Drafted By:

[redacted]
 Quarles & Brady
 780 North Water Street
 Milwaukee WI 53202

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 b7C





FILED 1619 MAR 10 1937

DIAMOND TOWER CONDOMINIUM
Parking and Storage Assignments

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
1-A	10	1
1-B	11	2
1-C	2	3
1-D	170	4
1-E	1	5
2-A	168	6
2-B	169	7
2-C (Mgr.)	12	8
2-D	13	9
2-E	14	10
2-F	15	11
3-A	148/149	12
3-B	150/151	13
3-C	16	14
3-D	17	15
3-E	18	16
3-F	19	17
4-A	144/145	18
4-B	146/147	19
4-C	164	20
4-D	165	21
4-E	166	22
4-F	167	23
5-A	138/139	24
5-B	140/141	25
5-C	161	26
5-D	142/143	27
5-E	162	28
5-F	163	29
6-A	134/135	30
6-B	136/137	31
6-C	158	32
6-E	159	33
6-F	160	34
7-A	128/129	35
7-B	130/131	36
7-C	155	37
7-D	132/133	38

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
7-E	156	39
7-F	157	40
8-A	116/117	41
8-B	126/127	42
8-C	152	43
8-E	153	44
8-F	154	45
9-A	110/111	46
9-B	112/113	47
9-C	123	48
9-D	114/115	49
9-E	124	50
9-F	125	51
10-A	60/61	52
10-B	62/63	53
10-C	120	54
10-E	121	55
10-F	122	56
11-A	44/45	57
11-B	56/57	58
11-C	109	59
11-D	58/59	60
11-E	118	61
11-F	119	62
12-A	42/43	63
12-B	46/47	64
12-C	106	65
12-E	107	66
12-F	108	67
14-A	99/100	68
14-B	101/102	69
14-C	103	70
14-D	40/41	110
14-E	104	72
14-F	105	73
15-A	92/93	74
15-B	94/95	75
15-C	96	76
15-E	97	77

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
15-F	98	78
16-A	83/84	79
16-B	85/86	80
16-C	87	81
16-D	88/89	82
16-E	90	83
16-F	91	84
17-A	76/77	85
17-B	78/79	86
17-C	80	87
17-E	81	88
17-F	82	89
18-A	68/69	90
18-B	71/72	91
18-C	70	92
18-D	73	93
18-E	74	94
18-F	75	95
19-A	48/49	96
19-B	54/55	97
19-C	64	98
19-D	65	99
19-E	66	100
19-F	67	101
20-A	24/25	102
20-B	26/27	103
20-C	20/21	104
20-D	22/23	105
21-A	32/33	71
21-B	34/35	107
21-C	28/29	108
21-D	30/31	109
22-A	52/53	106
22-B	50/51	111
22-C	36/37	112
22-D	38/39	113

Guest Unit 4
Unreserved
Guest 3,5,6,
Parking 7,8,9

• 16.00

• 04 DEC

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REEL 1704 MAG 256

QB080684

5770074

REGISTER'S OFFICE
Milwaukee County, Wis. } SS
RECORDED AT 5:35 AM

DIAMOND TOWER CONDOMINIUM
SECOND AMENDMENT
TO CONDOMINIUM DECLARATION
AND
CONDOMINIUM PLAT

NOV 30 1984 256 to

REEL 1704 IMAGE 260 incl

W. H. C. B. S. REGISTER
OF DEEDS

THIS AMENDMENT, made as of this 19th day of September, 1984, pursuant to the affirmative written consent of at least seventy-five percent (75%) of the unit owners and mortgagees (together hereinafter "Owners") of Diamond Tower Condominium (the "Condominium") to the Condominium Declaration for the Condominium recorded on August 23, 1983 in the office of the Register of Deeds for Milwaukee County, Wisconsin, in Reel 1559, Images 1374-1414, inclusive, as Document No. 5646004 (the "Declaration") and the Condominium Plat for Diamond Tower Condominium recorded on August 23, 1983 in the office of the Register of Deeds for Milwaukee County, Wisconsin as a part of the Declaration (the "Condominium Plat"),

W I T N E S S E T H :

WHEREAS, Owners own or hold mortgages on condominium units in the Condominium; and

WHEREAS, Owners are desirous of amending the Declaration and the Condominium Plat in the respects set forth hereinafter;

NOW, THEREFORE, pursuant to requirements of the Declaration and the Condominium Ownership Act of the State of Wisconsin, Owners hereby make the following amendments:

1. The Declaration is hereby amended by adding Section 7.4 set forth below to Section 7 of the Declaration, and renumbering the present Section 7.4 and 7.5 to 7.5 "Assignment by Unit Owners" and 7.6 "Use", respectively:

"7.4 Assignment by Declarant. Some of the underground parking spaces shown as limited common elements in the Condominium Plat are identified as "Assigned by Declarant". As the Declarant sells condominium units in DIAMOND TOWER CONDOMINIUM, it shall assign such parking spaces to buyers of condominium units by written assignment duly recorded or as a part of the condominium deed transferring title to condominium units. Upon the sale of all units in DIAMOND TOWER CONDOMINIUM, and the assignment of all parking spaces by Declarant, whichever shall last occur, Declarant shall re-record the Condominium Plat showing the condominium unit to which each parking space has been assigned as a part of the Condominium Plat. All parking assignments made by Declarant shall be and constitute an assignment of limited common elements appurtenant to the unit identified by Declarant in

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the assignment. Surface parking spaces shall not be subject to Declarant assignment as set forth above, but shall be maintained by the Association as guest parking or as spaces which may be rented to unit owners under such rules and regulations as the Association may determine from time to time."

2. The Condominium Plat is hereby amended by deleting pages 19, 20, 21 and 25 (amended) in their entirety and replacing such pages with pages 19 (amended), 20 (amended), 21 (amended) and 25 (2d amended) in the form attached hereto. The new pages show parking spaces which are assigned to units and those parking spaces which are to be assigned to units by Declarant pursuant to Section 7.4 of the Declaration.

3. The Declaration and Condominium Plat, as amended herein, otherwise remain unchanged and in full force and effect.

4. The effective date of the foregoing amendments shall be the date this Amendment is recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin.

IN WITNESS WHEREOF, this Amendment has been executed with the written consent of at least 75% of the unit owners and mortgagees of the Condominium at the date hereof, and the undersigned officers of the Association of unit owners for the Condominium hereby certify and attest by their signatures hereto, that the foregoing Amendment has been adopted with the written consent of 75% of the unit owners in the Condominium, and their mortgagees, in the manner provided in the Wisconsin Condominium Ownership Act, and that the Declarant has consented in writing to this Amendment. The undersigned further certify that the written consents of the unit owners and their mortgagees to this Amendment are on file and available for inspection at the offices of the Association.

Attest:

DIAMOND TOWER CONDOMINIUM
ASSOCIATION, LTD.

By:

APPROVED BY DECLARANT:

THE HUTTER CONSTRUCTION CO.
(Declarant)

Attest:

By:

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b7c

REEL 1704 ENC 258

STATE OF WISCONSIN)
: SS.
FOND DU LAC COUNTY)

Personally came before me this 19th day of September
1984, the above-named [redacted], respectively,
of DIAMOND TOWER CONDOMINIUM ASSOCIATION, LTD., and who executed
the foregoing instrument and acknowledged the same as the act and
deed of said corporation.



Lillian S. Graham
Notary Public, State of Wisconsin
My Commission 4-20-86

OF STATE OF WISCONSIN)
: SS.
FOND DU LAC COUNTY)

Personally came before me this 19th day of September
1984, the above-named [redacted],
of THE HUTTER CONSTRUCTION CO., and who executed the foregoing
instrument and acknowledged the same as the act and deed of said
corporation.



Lillian S. Graham
Notary Public, State of Wisconsin
My Commission 4-20-86

This Instrument Drafted By:

Acted to: [redacted]
Quarles & Brady
780 North Water Street
Milwaukee, WI 53202

*Boh
142*

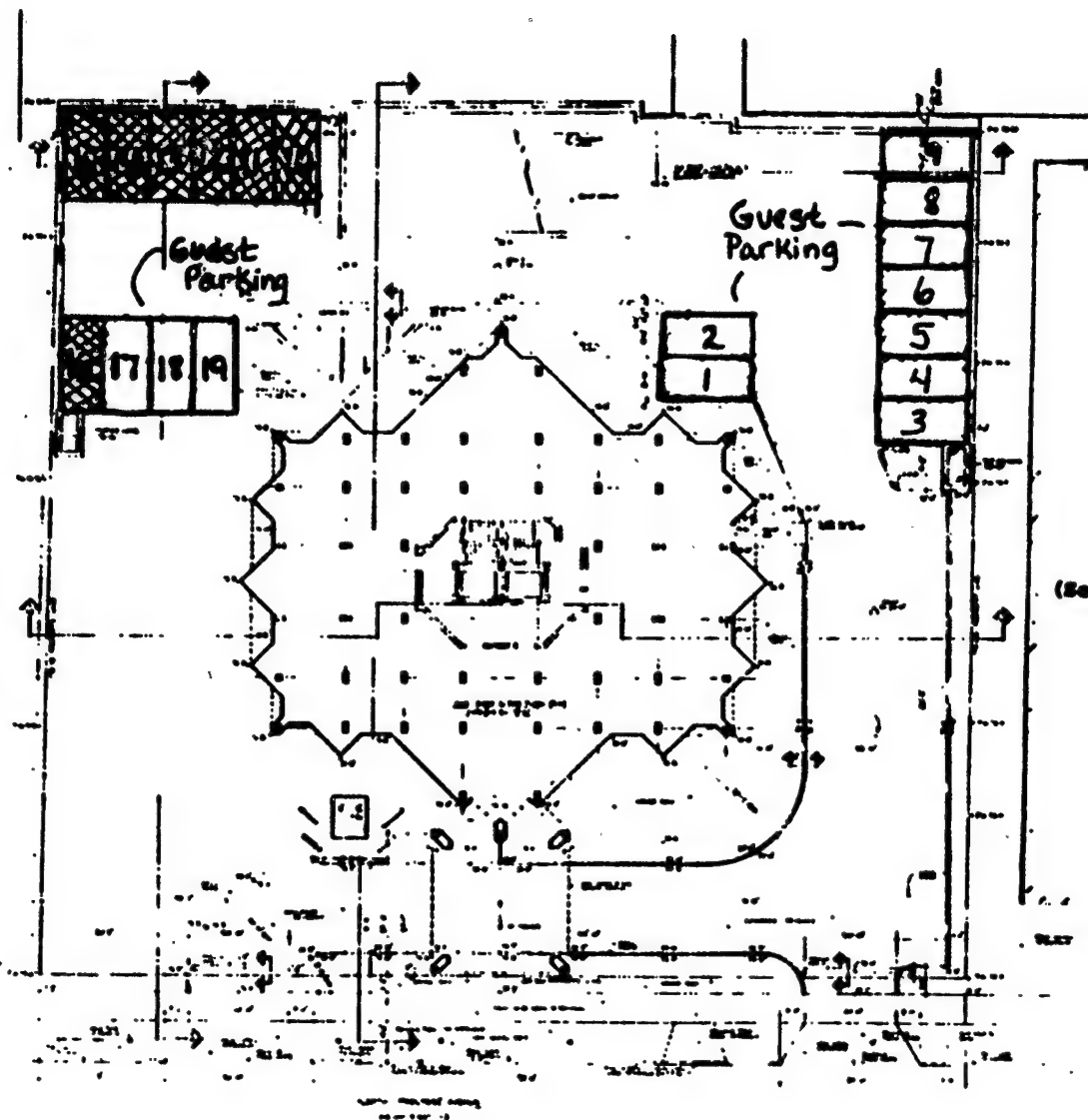
REEL 1704 MAC 259



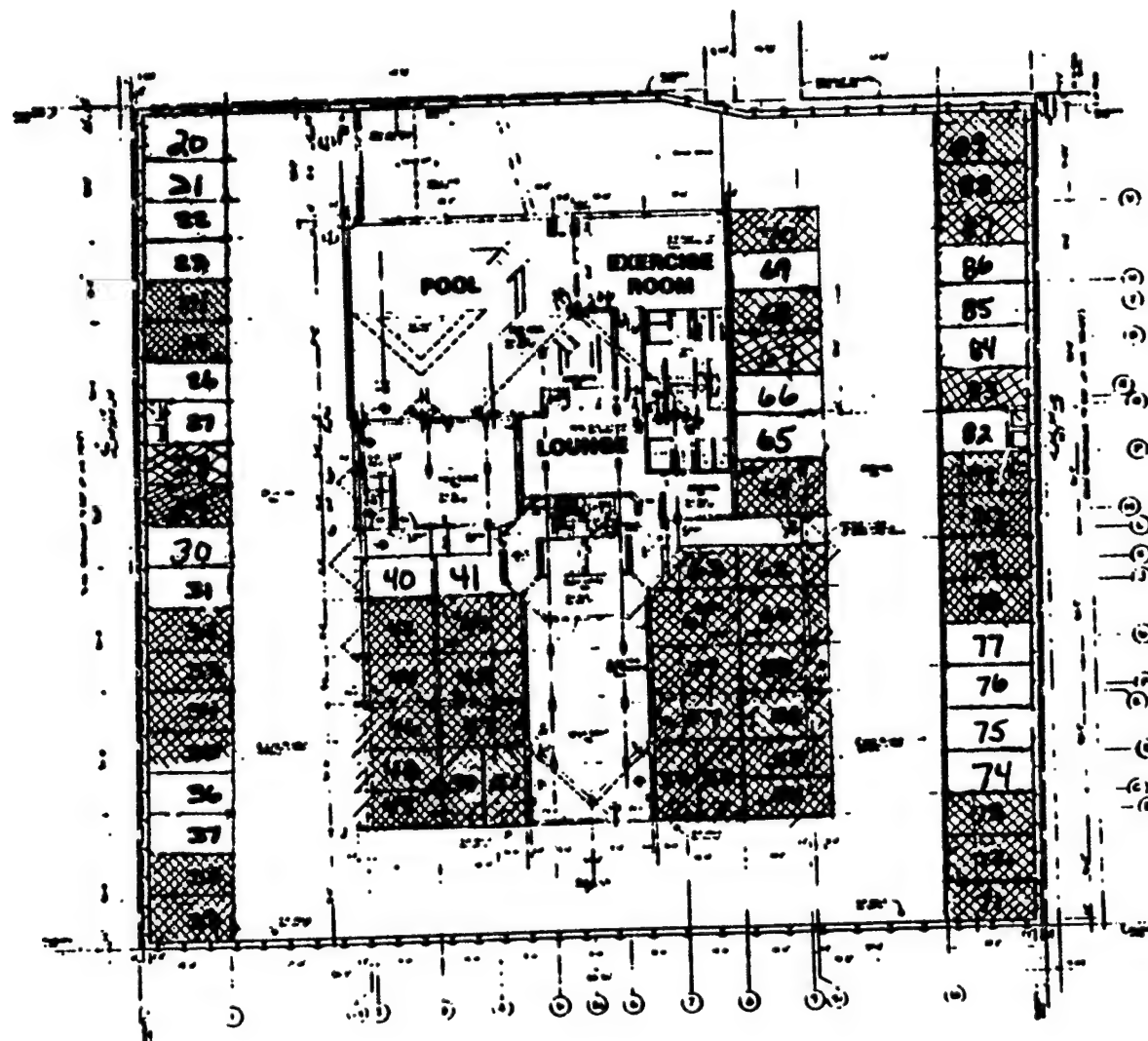
Assigned
Parking Spaces

(See Plat p. 25 (2d amended))

**SITE PLAN
SURFACE PARKING**



**Diamond Tower Condominium
Condominium Plat — Page 19 (amended)**



 Assigned Parking Spaces

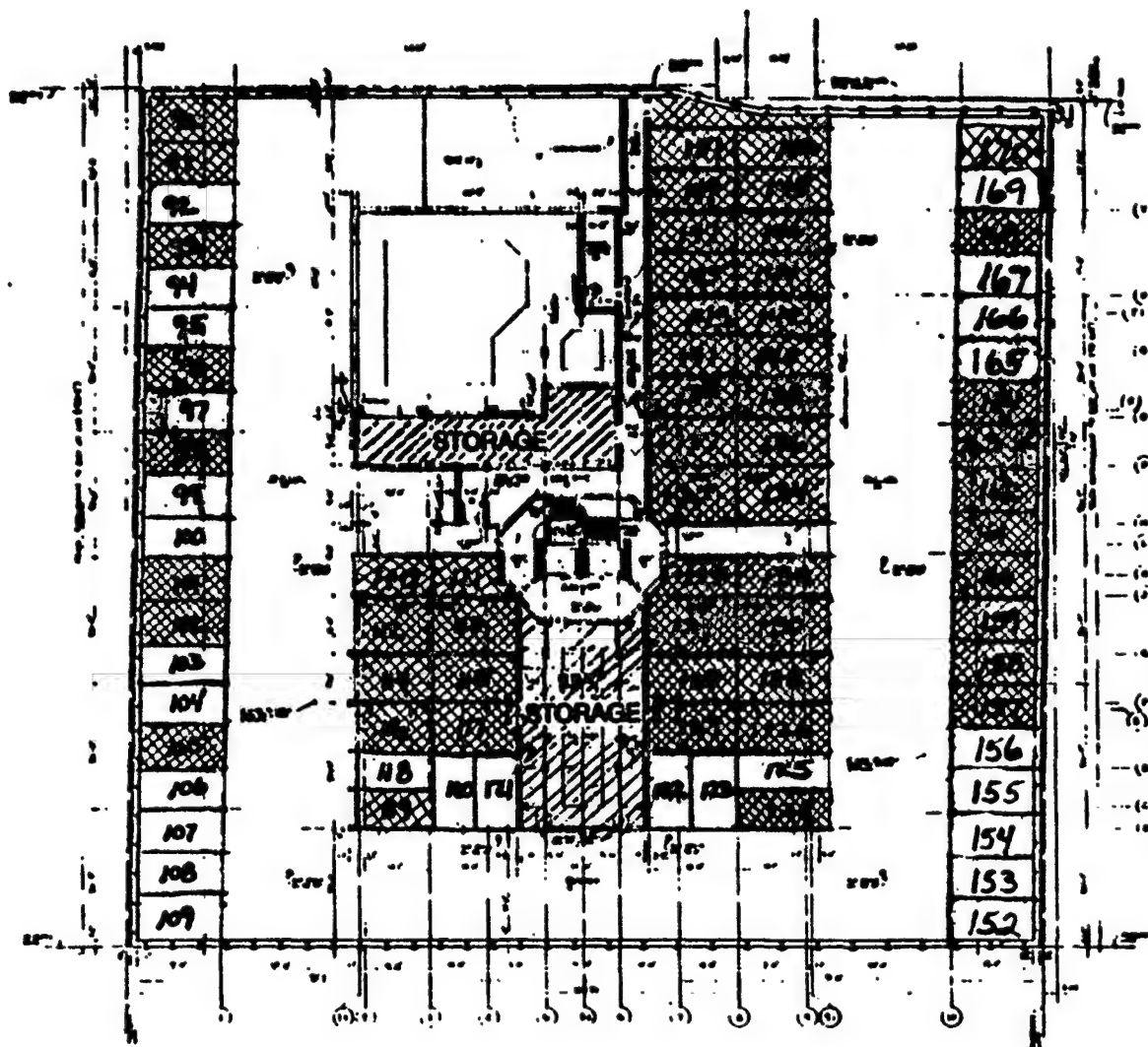
(See Plat p. 25 (2d amended))

NOTE: Parking spaces not cross-hatched are "Assigned by Declarant"

REC 1704 MAR 260

UPPER PARKING LEVEL

Diamond Tower Condominium
Condominium Plat — Page 20 (amended)



 - Assigned Parking Spaces

(See Plat p. 25 (2d amended))

NOTE: Parking spaces not cross-hatched are "Assigned by Declarant"

REEL 1704 MAG 261

LOWER PARKING LEVEL

Diamond Tower Condominium
Condominium Plat - Page 21 (amended)

DIAMOND TOWER CONDOMINIUM
Parking and Storage Assignments

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
1-A	10	1
1-B	90	2
1-C	13	3
1-D		4
1-E	14	5
2-A	168	6
2-B	98	7
2-C	12	8
2-D	161	9
2-E		10
2-F	15	11
3-A	148/149	12
3-B	89	13
3-C	16	14
3-D	68	15
3-E	70	16
3-F	11	17
4-A	144/145	18
4-B	150/151	19
4-C	164	20
4-D		21
4-E	105	22
4-F	78/79	23
5-A	138/139	24
5-B	140/141	25
5-C		26
5-D		27
5-E	29	28
5-F	163	29
6-A	142/143	30
6-B	136/137	31
6-C		32
6-E	159	33
6-F	160	34
7-A	62/63	35
7-B	91	36
7-C		37
7-D	119	38
7-E		39
7-F	157	40

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
8-A	87	41
8-B	80/81	42
8-C	83	43
8-E		44
8-F		45
9-A	162	46
9-B	93	47
9-C		48
9-D	114/115	49
9-E	124	50
9-F		51
10-A	34/35	52
10-B	128/129	53
10-C	170	54
10-E		55
10-F	48	56
11-A		57
11-B	158	58
11-C		59
11-D	32/33	60
11-E		61
11-F		62
12-A		63
12-B	46/47	64
12-C		65
12-E		66
12-F		67
14-A		68
14-B	101/102	69
14-C		70
14-D	110/111	110
14-E	64	72
14-F		73
15-A		74
15-B		75
15-C	96	76
15-E		77
15-F		78
16-A	130/131	79
16-B	134/135	80

<u>Unit No.</u>	<u>Parking Space(s)</u>	<u>Storage Locker</u>
16-C		81
16-D	56/57	82
16-E	28	83
16-F	88	84
17-A	146/147	85
17-B	49	86
17-C		87
17-E		88
17-F	67	89
18-A		90
18-B	71/72	91
18-C		92
18-D	73	93
18-E		94
18-F		95
19-A		96
19-B	54/55	97
19-C		98
19-D		99
19-E		100
19-F		101
20-A	24/25	102
20-B	112/113	103
20-C	132/133	104
20-D	116/117	105
21-A	50/51	71
21-B	42/43	107
21-C	44/45	108
21-D	126/127	109
22-A	52/53	106
22-B	60/61	111
22-C	58/59	112
22-D	38/39	113

Guest 1, 2, 3, 4, 5, 6, 7,
Parking 8, 9, 17, 18, 19

REG 1704 ms 262

ACCOMPLISHMENT REPORT (Effective 10/1/84)

(Submit within 30 days from date of accomplishment)

TO: DIRECTOR, FBI

12-9808

Bureau File Number

245-A-95

Field Office File Number

2

Squad or RA Number

Agent's Social Security No.

☒ X If a joint operation with another Federal, State or Local LE agency **☐ X If case involves corruption of a public official (Federal, State or Local).

Investigative Assistance or Technique Used

Were any of the investigative assistance or techniques listed below used in connection with accomplishment being claimed? ☐ No ☒ Yes - If Yes, rate each used as follows:

1 = Used, but did not help

2 = Helped, but only minimally

3 = Helped, substantially

4 = Absolutely essential

1. Acctg Tel
Assistance2. Aircraft
Assistance3. Compute
Assistance4. Consens
Monitoring5. ELSUR -
FISC6. ELSUR -
Title III7. Hypnosis
Assistance8. Ident Div
Assistance9. Informant
Information10. Lab Div
Exams11. Lab. Div.
Field Support12. Pen
Registers13. Photographic
Coverage14. Polygraph
Assistance15. Search Warrant
Executed16. Show Money
Usage17. Surveill.
Sqd Asst18. SWAT Team
Action19. Telephone Tol
Records20. Undercover
Operation21. Visual Invest -
Analysis (VIA)

FROM: SAC, MILWAUKEE (P)

SUBJECT: ANTHONY F. PIPITO;

ET AL;
NARCOTICS MATTER
OCDE TASK FORCE CASE

(OO: MILWAUKEE)

A. Preliminary Judicial Process (Number of subjects)	Complaints	Informations	Indictments	D. Recoveries, Restitutions, Court Ordered Forfeitures or Potential Economic Loss Prevented (PELP)				
	Subject Priority (See Reverse)			Property or PELP Type Code	Recoveries	Restitutions	Court Ordered Forfeitures	Potential Economic Loss Prevented
B. Arrests, Locates, Summonses & Subpoenas (No. of subjects)	A	B	C					
	FBI Arrests							
	FBI Locates -							
	Number of Subjects of FBI Arrests Who Physically Resisted _____							
Number of Subjects of FBI Arrests Who Were Armed _____								
Criminal Summonses _____ Subpoenas Served _____								
C. Release of Hostages or Children Located: (Number of Hostages or Children Located)				E. Civil Matters		Government Defendant		Government Plaintiff
Hostagee Held By Terrorists _____; All Other Hostage Situations _____				Amount of Suit				
Missing or Kidnaped Children Located _____				Settlement or Award				Enter AFA Payment Here

F. Final Judicial Process:	Judicial District	District	State	Dates	Convictions (or Final Judicial Process) Date	Sentence Date
Subject 1 - Name -				Subject's Description Code*		

☐ Pretrial
☐ Diversion
☐ Dismissal
☐ Acquittal

-Convictions-
Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant.
Do not report conviction until sentence has been pronounced.

☐ Felony
☐ Misdemeanor
☐ Plea
☐ Trial

Conviction		
Title	Section	Counts

Combined Sentence						
In-Jail Term		Suspended		Probation		Total Fines
Yrs	Mos	Yrs	Mos	Yrs	Mos	
						\$
Consecutive Sentences - Add all consecutive sentences together. Concurrent Sentences - Enter longest single term. Do not add concurrent sentences together. If the sentence is 10 years in custody of the Atty Gen. but 8 years are suspended, the In-Jail term would be 2 years.						

Subject 2 - Name -				Subject's Description Code*																																																				
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Subject 3 - Name -				Subject's Description Code*																																																				
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Attach additional forms if reporting final judicial process on more than three subjects, and submit a final disposition form (R-84) for each subject.

Remarks: On May 8, 1985, this matter was approved as North Central Task Force OCDE case. Therefore, the above statistic is being claimed in the 245 classification and being deleted from the 12 classification.

Chicago (245-1 Sub C) (Attn: North Central Task Force Coordinator)

2 - Bureau
2 - Field Office

* See codes on reverse side. Subject description codes in Section F are required only when reporting a conviction.

** In joint operations, identify the other Federal, State or Local Law Enforcement (LE) agency in the Remarks Section.

PAS/dgr (5)

b6
b7C

Property Type Codes*

Code No	Description
1	Cash (U.S. and foreign currency)
2	Stock, Bonds or Negotiable Instruments (checks, travelers checks, money orders, certificates of deposit, etc)
3	General Retail Merchandise (clothing, food, liquor, cigarettes, TVs, etc)
4	Vehicles (autos, trucks, tractors, trailers, campers, motorcycles, etc)
5	Heavy Machinery & Equipment (heavy equipment, computers, etc)
6	Bulk Materials (grain, fuel, raw materials, metals, wire, etc)
7	Jewelry (including unset precious and semiprecious stones)
8	Precious Metals (gold, silver, silverware, platinum, etc)
9	Art, Antiques or Rare Collections
10	Dangerous Drugs
11	Weapons or Explosives
12	Businesses or Assets Forfeited
20	All Other Recoveries (not falling in any category above)

Potential Economic Loss Prevented (PELP) Type Codes*

Code No	Description
22	Counterfeit Stocks, Bonds, Currency or Negotiable Instruments
23	Counterfeit or Pirated Sound Recordings or Motion Pictures
24	Bank Theft Scheme Aborted
25	Ransom, Extortion or Bribe Demand Aborted
26	Theft from, or Fraud Against, Government Scheme Aborted
27	Commercial or Industrial Theft Scheme Aborted
30	All Other Potential Economic Loss Prevented (not falling in any category above)

*The case file must contain an explanation of the computation of the recovery value or loss prevented. An explanation airtel must accompany this report if the recovery is \$1 million or more, or if the PELP is \$5 million or more.

Subject Description Codes*

- Enter Description Code Only When Reporting a Conviction -

Organized Crime Subjects:

- 1A Boss, Underboss or Consigliere
- 1B Capodecina or Soldier
- 1C Possible LCN Member or Associate
- 1D OC Subject Other Than LCN

Known Criminals (Other Than OC Members):

- 2A Top Ten or I.O. Fugitive
- 2B Top Thief
- 2C Top Con Man

Foreign Nationals:

- 3A Legal Alien
- 3B Illegal Alien
- 3C Foreign Official Without Diplomatic Immunity
- 3D U.N. Employee Without Diplomatic Immunity
- 3E Foreign Students
- 3F All Others

Terrorists:

- 4A Known Member of a Terrorist Organization
- 4B Possible Terrorist Member or Sympathizer

*If a subject can be classified in more than one of the categories, select the most appropriate in the circumstance.

Union Members:

- 5A International or National Officer
- 5B Local Officer
- 5C Union Employee

Government Officials Or Employees:

Federal	State	Local
6A Presidential Appointee	6J Governor	6R Mayor
6B U.S. Senator	6K Lt. Governor	
6C U.S. Representative	6L Legislator	6S Legislator
6D Judge	6M Judge	6T Judge
6E Prosecutor	6N Prosecutor	6U Prosecutor
6F Law Enforcement Officer	6P Law Enforcement Officer	6V Law Enforcement Officer
6G Fed Exec - GS 13 & above	6Q All Others - State	6W All Others - Local
6H Fed Empl - GS 12 & below		

Bank Officers or Employees:

- 7A Bank Officer
- 7B Bank Employee

All Others:

- 8A All Other Subjects (not fitting above categories)

Instructions

Subject Priorities for FBI Arrest or Locates:

- A - Subject wanted for crimes of violence (i.e. murder, manslaughter, forcible rape, robbery and aggravated assault) or convicted of such crimes in the past five years.
- B - Subjects wanted for crimes involving the loss or destruction of property valued in excess of \$25,000 or convicted of such crimes in the past five years.
- C - All others

Claiming Convictions Other Than Federal:

- It is permissible to claim a local (state, county or local) conviction if the FBI's investigation significantly contributed to the successful local prosecution. A succinct narrative setting forth the basis for claiming a local conviction must accompany this report. When claiming a conviction other than Federal, enter the word "LOCAL" in the Conviction-Section block, disregard the number of conviction counts, but enter the sentence in the appropriate blocks. Enter "LF" in the "In-Jail" block for all life sentences and "CP" for all capital punishment sentences.

Reporting Convictions:

Convictions should not be reported until the sentence has been issued. There are two exceptions to this rule. The conviction information can be submitted by itself if:

- 1. The subject becomes a fugitive after conviction but prior to sentencing.
 - 2. The subject dies after conviction but prior to sentencing.
- An explanation is required in the Remarks section for either of the above exceptions.

Rule 20 Situations:

The field office that obtained the process (normally the office of origin) is the office that should claim the conviction, not the office where the subject enters the plea in cases involving Rule 20 of the Federal Rules of Criminal Procedures.

Investigative Assistance or Techniques (IA/Ts) Used:

- Since more than one IA/T could have contributed to the accomplishment, each IA/T must be rated.
- The IA/T used must be rated each time an accomplishment is claimed. (For example - if informant information was the basis for a complaint, an arrest, a recovery and a conviction and if separate FD-515s are submitted for each of the aforementioned accomplishments, the "Informant Information" block must be rated on each FD-515 even if it was the same information that contributed to all the accomplishments.)

MI 245-A-95

On February 11, 1985, the FBI, Milwaukee located a

b6
b7c

ACCOMPLISHMENT REPORT (Effective 10/1/84)

(Submit within 30 days from date of accomplishment)

Date June 28, 1985

TO: DIRECTOR, FBI

FROM: SAC, MILWAUKEE (P)
SUBJECT:

~~12-9808~~
Bureau File Number
245-A-95
Field Office File Number
2
Squad or RA Number

Agent's Social Security No.

☒ X If a joint operation with another Federal, State or Local LE agency **
☐ X If case involves corruption of a public official (Federal, State or Local).

Investigative Assistance or Technique Used

Were any of the investigative assistance or techniques listed below used in connection with accomplishment being claimed? ☐ No ☒ Yes - If Yes, rate each used as follows:

- 1 = Used, but did not help
2 = Helped, but only minimally
3 = Helped, substantially
4 = Absolutely essential

16. Show Money Usage Rating

1. Acctg Tech Assistance	Rating	6. ELSUR - Title III	Rating	11. Lab. Div. Field Support	Rating	17. Surveill. Sqd Asst	Rating
2. Aircraft Assistance		7. Hypnosis Assistance		12. Pen Registers		18. SWAT Team Action	
3. Computer Assistance		8. Ident Div. Assistance		13. Photographic Coverage		19. Telephone Toll Records	
4. Consensual Monitoring		9. Informant Information		14. Polygraph Assistance		20. Undercover Operation	
5. ELSUR - FISC		10. Lab Div Exams		15. Search Warr Executed		21. Visual Invest - Analysis (VIA)	

ANTHONY F. PIPITO;
ET AL;
NARCOTICS MATTER
OCDE TASK FORCE CASE

(OO: MILWAUKEE)

A. Preliminary Judicial Process (Number of subjects)	Complaints	Informations	Indictments	D. Recoveries, Restitutions, Court Ordered Forfeitures or Potential Economic Loss Prevented (PELP)			
			10	Property or PELP Type Code	Recoveries	Restitutions	Potential Economic Loss Prevented
B. Arrests, Locates, Summonses & Subpoenas (No. of subjects)	Subject Priority (See Reverse)			4	\$	\$	\$
FBI Arrests	A	B	C	11	\$1,040.00	\$	\$
FBI Locates -			1	10	\$98,473.83	\$	\$
Number of Subjects of FBI Arrests Who Physically Resisted <u>0</u>					\$	\$	\$
Number of Subjects of FBI Arrests Who Were Armed <u>0</u>					\$	\$	\$
Criminal Summons <u>7</u>	Subpoenas Served <u>3</u>				\$	\$	\$
C. Release of Hostages or Children Located: (Number of Hostages or Children Located)				E. Civil Matters			
Hostages Held By Terrorists _____; All Other Hostage Situations _____				Government Defendant			
Missing or Kidnaped Children Located _____				Government Plaintiff			
				Amount of Suit			
				Settlement or Award			
				Enter AFA Payment Here			

F. Final Judicial Process: Judicial District _____ State _____ Dates _____ Convictions (or Final Judicial Process) Date _____ Sentence Date _____

Subject 1 - Name - _____ Subject's Description Code* - _____

<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction			Combined Sentence						
			Title	Section	Counts	In-Jail Term		Suspended		Probation		Total Fines
			Yrs	Mos	Yrs	Mos	Yrs	Mos				

Consecutive Sentences - Add all consecutive sentences together.
 Concurrent Sentences - Enter longest single term. Do not add concurrent sentences together.
 If the sentence is 10 years in custody of the Atty Gen. but 8 years are suspended, the In-Jail term would be 2 years.

Subject 2 - Name - _____ Subject's Description Code* - _____

<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction			Combined Sentence						
			Title	Section	Counts	In-Jail Term		Suspended		Probation		Total Fines
			Yrs	Mos	Yrs	Mos	Yrs	Mos				

Consecutive Sentences - Add all consecutive sentences together.
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Subject 3 - Name - _____ Subject's Description Code* - _____

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Attach additional forms if reporting final judicial process on more than three subjects, and submit a final disposition form (R-84) for each subject.

Remarks: On May 8, 1985, the PIPITO case was approved as an OCDE Task Force case. by North Central Task Force Coordinating Committee. All the major statistical accomplishments in this case prior to May 8, 1985, are being claimed under the 245 classification and will be deleted from the 12 classification.

2 - Bureau 1 - Chicago (245-1 Sub C) (Attn: North Central Task Force Coordinator)
 2 - Field Office 3 - Milwaukee (1 - 245-A-95) (1 - 12-23 Sub K) (1 - 66-682 Sub A)

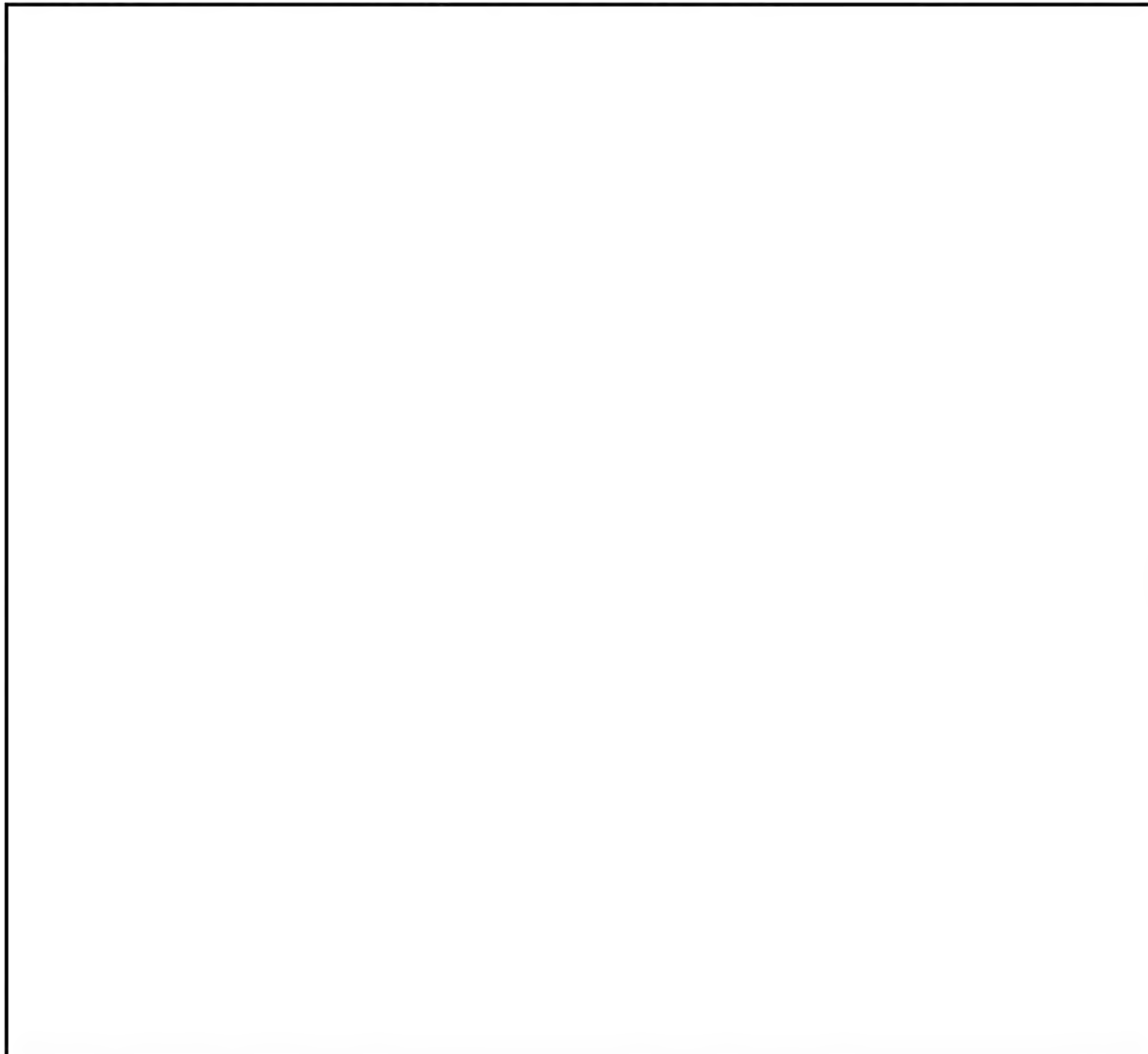
* See caption on reverse side. Subject description codes in Section F are required only when reporting a conviction.
 ** In joint operations, identify the other Federal, State or Local Law Enforcement (LE) agency in the Remarks Section.

APR 2 1987 JUN 18 1987

MI 245-A-95

On November 30, 1984, search warrants and seizure warrants were executed in the PIPITO case following intensive investigation which included [REDACTED] Seized at PIPITO's residence were the following items which are being claimed:

b3



b6
b7C

On March 26, 1985, Federal Grand Jury (FGJ), Eastern District of Wisconsin (EDW), Milwaukee, Wisconsin, handed a 23-count indictment naming ten defendants for violations of Federal drug laws and other Federal offenses. PIPITO was charged with Title 21,

MI 245-A-95

United States Code (USC), Section 848; Continuing Criminal Enterprise; in this indictment. Of those ten, [REDACTED]

Based on information that [REDACTED] was involved with another cocaine organization and [REDACTED]

[REDACTED] was subpoenaed to FGJ regarding PIPITO.

b3
b6
b7C

Date June 28, 1985

FROM: SAC, MILWAUKEE (P)
SUBJECT:

(OO: MILWAUKEE)

b6
b7C

12-9808
Bureau File Number
245-A-95
Field Office File Number
2
Squad or RA Number

Agent's Social Security No.

☒ X If a joint operation with another Federal, State or Local LE agency **

☐ X If case involves corruption of a public official (Federal, State or Local).

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16. Show Money Usage	Rating
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1. Acctg Tech Assistance	Rating	6. ELSUR - Title III	Rating	11. Lab. Div. Field Support	Rating	17. Surveil. Sqd Asst
2. Aircraft Assistance		7. Hypnosis Assistance		12. Pen Registers		18. SWAT Team Action
3. Computer Assistance		8. Ident Div Assistance		13. Photographic Coverage		19. Telephone Toll Records
4. Consensual Monitoring		9. Informant Information		14. Polygraph Assistance		20. Undercover Operation
5. ELSUR - FISC		10. Lab Div Exams		15. Search Warrant Executed		21. Visual Invest - Analysis (VIA)

b7E

A. Preliminary Judicial Process (Number of subjects)	Complaints	Informations	Indictments	D. Recoveries, Restitutions, Court Ordered Forfeitures or Potential Economic Loss Prevented (PELP)				
				Property or PELP Type Code	Recoveries	Restitutions	Court Ordered Forfeitures	Potential Economic Loss Prevented
	B. Arrests, Locates, Summonses & Subpoenas (No. of subjects)							
	Subject Priority (See Reverse)							
	A	B	C					
	FBI Arrests		2					
	FBI Locates -							
Number of Subjects of FBI Arrests Who Physically Resisted _____								
Number of Subjects of FBI Arrests Who Were Armed _____								
Criminal Summons _____	Subpoenas Served _____							
C. Release of Hostages or Children Located: (Number of Hostages or Children Located)			E. Civil Matters		Government Defendant		Government Plaintiff	
Hostages Held By Terrorists _____; All Other Hostage Situations _____			Amount of Suit		\$		\$	
Missing or Kidnaped Children Located _____			Settlement or Award		\$		\$	
							Enter AFA Payment Here	

F. Final Judicial Process: Judicial District _____
 District _____ State _____
 Dates _____
 Convictions (or Final Judicial Process) Date _____ Sentence Date _____
 Subject 1 - Name - _____ Subject's Description Code* - _____

<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	<input type="checkbox"/> -Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial	<table border="1"> <thead> <tr> <th colspan="3">Conviction</th> </tr> <tr> <th>Title</th> <th>Section</th> <th>Counts</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Conviction			Title	Section	Counts													<table border="1"> <thead> <tr> <th colspan="6">Combined Sentence</th> <th rowspan="3">Total Fines</th> </tr> <tr> <th colspan="2">In-Jail Term</th> <th colspan="2">Suspended</th> <th colspan="2">Probation</th> </tr> <tr> <th>Yrs</th> <th>Mos</th> <th>Yrs</th> <th>Mos</th> <th>Yrs</th> <th>Mos</th> </tr> </thead> <tbody> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td>\$</td> </tr> </tbody> </table> <p> Consecutive Sentences - Add all consecutive sentences together. Concurrent Sentences - Enter longest single term. Do not add concurrent sentences together. If the sentence is 10 years in custody of the Atty Gen. but 8 years are suspended, the In-Jail term would be 2 years. </p>	Combined Sentence						Total Fines	In-Jail Term		Suspended		Probation		Yrs	Mos	Yrs	Mos	Yrs	Mos							\$
	Conviction																																															
	Title	Section	Counts																																													
Combined Sentence						Total Fines																																										
In-Jail Term		Suspended		Probation																																												
Yrs	Mos	Yrs	Mos	Yrs	Mos																																											
						\$																																										

Subject 2 - Name -		Subject's Description Code #												
<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.	<input type="checkbox"/> Felony <input type="checkbox"/> Misd- <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction			Combined Sentence								
			Title	Section	Counts	In-Jail Term		Suspended		Probation		Total Fines		
			Yrs	Mos		Yrs	Mos	Yrs	Mos					
										\$				
Consecutive Sentences - Add all consecutive sentences together. Concurrent Sentences - Enter longest single term. Do not add concurrent sentences together. If the sentence is 10 years in custody of the Atty Gen. but 8 years are suspended, the In-Jail term would be 2 years.														

Subject 3 - Name -		Subject's Description Code* -										
<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	-Convictions-	<input type="checkbox"/> Felony <input type="checkbox"/> Misd- <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction			Combined Sentence						
	Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.		Title	Section	Counts	In-Jail Term		Suspended		Probation		Total Fines
			Yrs	Mos	Yrs	Mos	Yrs	Mos				
			2 1/2		- 16 1/2		- 13 1/2					

Attach additional forms if reporting final judicial process on more than three subjects, and submit a final disposition form (R-84) for each subject.

Remarks: The arrests claimed are a result of the combined efforts of the Drug Enforcement Administration (DEA), Internal Revenue Service (IRS), and the Federal Bureau of Investigation (FBI) [REDACTED]

b6
b7c

7 JAN 27 1996

JUN 26 1964 K

1 - Chicago (245-1 Sub C) (Attn: North Central Task Force Coordinator)
3 - Milwaukee (1 - 245-A-95) (1 - 12-23 Sub K) (1 - 66-682 Sub A) | | |

2 - Bureau
2 - Field Office

* * In joint operations, identify the other Federal, State or Local Law Enforcement (LE) agency in the Remarks Section.

PJL/dgr (6)

MI 245-A-95

On May 13, 1985, DEA Milwaukee contacted FBI Milwaukee regarding the possibility of conducting a reverse undercover operation involving ANTHONY F. PIPITO [redacted] PIPITO is currently incarcerated at Waukesha County, Wisconsin Jail, Waukesha, Wisconsin, stemming from his arrest on cocaine charges in November, 1984. [redacted]

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While conducting an investigation of [redacted] DEA determined that [redacted]

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b7D

[redacted]

b6
b7C
b7D

Milwaukee Office provided the bulk of the manpower necessary to provide ground and air coverage in this case. In addition to [redacted] prosecution of PIPITO [redacted] [redacted] considered by United States Attorney (USA), Eastern District of Wisconsin (EDW), Milwaukee, Wisconsin.

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June 27, 1985

OUTSIDE SOURCE - REGISTERED RETURN RECEIPT

ANTHONY F. PIPITO
NARCOTICS MATTER

b6
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[Redacted]
[Redacted]
[Redacted] Wisconsin 53202

Dear [Redacted]

You are hereby informed that on December 1, 1984, at Milwaukee, Wisconsin, the property described below was seized by Agents of the Federal Bureau of Investigation (FBI) for violation of Title 21, United States Code (U.S.C.), Section 881.

[Redacted]
Steps are being taken to forfeit this property pursuant to Title 19, U.S.C. 1602-1619 and Title 28, Code of Federal Regulations (C.F.R.) 9.1-9.7 and this matter has been referred to the Office of the United States Attorney, [Redacted]

V-131 DE-52 845-764-13X4
Should you choose to file a petition for the admission or mitigation of this forfeiture, you should file it in triplicate, in a timely manner. Your submission should conform to the requirements outlined in Title 28, C.F.R., Section 9.1-9.7. Proof of interest in the property must be submitted with your petition which should be addressed to the Attorney General of the United States and submitted to the Office of the United States Attorney for the judicial district where the seizure took place. This matter has been assigned Control Number 3470-85-010 which should be referenced in all correspondence regarding this matter. To expedite processing of the petition, you are also requested to forward a copy to FBI, Room 700, Federal Office Building and U. S. Courthouse, 517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, Attention: Forfeiture Assistant.

MAILED 3 JUL 2 1985
FBI
Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____
APPROVED
Director _____
Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Laboratory _____
Legal Coun. _____
Off. of Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____

Sincerely yours,

[Redacted]
Unit Chief?
Forfeiture and Seized
Property Unit

b6
b7C

Memorandum



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

To : Assistant Director
Legal Counsel Division

Date JUL 15 1985

From : Unit Chief
Legal Forfeiture Unit

Subject : ADMINISTRATIVE PETITION RECOMMENDATION
TITLE 21, U.S.C., SECTION 881
ANTHONY F. PIPITO, aka; et al.
OCDE TASK FORCE - NARCOTICS
OO: MILWAUKEE (245A-95)
SEIZURE NUMBER: 3470-85-003
~~SEIZING OFFICE: MILWAUKEE~~

1. Recommendation:

On 4/22/85 a petition seeking remission or mitigation of the administrative forfeiture of property described as a [redacted]

[redacted] was filed with the FBI. It is recommended that the petition be:

☒ granted;
☐ granted in part as to _____;
☐ denied in part as to _____;
☐ mitigated with \$ _____ penalty;
☐ denied;

for the following reason(s):

☒ the petitioner has met the administrative requirements of 28 C.F.R. § 9.5 (c)(1), (2) and (3);

☐ the petitioner has failed to meet the administrative requirements of 28 C.F.R. § 9.5(c)(1), (2) and (3) in that the record indicates:

☐ petitioner has not established a valid, good faith interest in the seized property as owner or otherwise;

☐ petitioner has not established that he at no time had any knowledge or reason to believe that the property in which he claims an interest was being or would be used in violation of the law;

1 - [redacted]
1 - [redacted]
1 - Legal Forfeiture Unit

DMC:klg (4)

(CONTINUED - OVER)

FBI/DOJ

Memo from Unit Chief, Legal Forfeiture Unit to AD, LCD
Re: Administrative Petition Recommendation, Title 21, U.S.C., § 881

_____ petitioner has not established that he
at no time had any knowledge or reason
to believe that the owner had any
record or reputation for violating
Federal or state drug laws;

_____ the petition of the beneficial owner of the
seized property has been granted;

_____ other basis: _____

_____.

2. Property:

- A. Date Seized 11/30/84
B. Appraised Value
C. Sold or placed in official use yes X no
D. Lienholder's net equity
E. Total storage charges and expenses undetermined

3. Petition:

A. Petitioner:

Mitchell Street State Bank
1039 West Mitchell Street
Milwaukee, Wisconsin 53204

B. Petitioner's Representative:

 Wisconsin 53202

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b7C

- C. Petitioner's Interest: owner X lienholder
 other

Memo from Unit Chief, Legal Forfeiture Unit to AD, LCD
Re: Administrative Petition Recommendation, Title 21, U.S.C., § 881

D. Petitioner's Allegation:

Petitioner alleges that it is an innocent lienholder with a perfected security interest in the defendant vehicle.

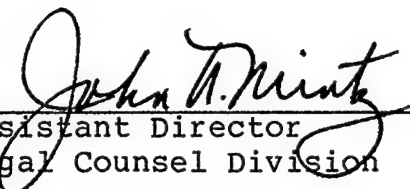
4. Petition Investigation:

A petition investigation conducted by the Milwaukee Division failed to reveal any information which would indicate that the petitioner is anything other than an innocent lienholder.

5. Seizing Office Recommendation:

☒ grant;
☐ grant in part as to _____;
☐ deny in part as to _____;
☐ mitigate with \$ _____ penalty;
☐ deny.

6. Approved:



Assistant Director
Legal Counsel Division

7/16/85

(Date)

Deputy Assistant Director
Legal Counsel Division

(Date)

Unit Chief
Legal Forfeiture Unit
Legal Counsel Division

(Date)

Memorandum



Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Intell. _____
 Laboratory _____
 Legal Coun. _____
 Plan. & Insp. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Off. of Cong. & Public Affs. _____
 Telephone Rm. _____
 Director's Sec'y _____

To : Assistant Director
 Administrative Services Division
 Attn: Forfeiture and Seized Property Unit

Date JUL 2 1985

From : JAN/10
 Legal Counsel

Subject : ADMINISTRATIVE FORFEITURE RECOMMENDATION
 TITLE 21, U.S.C., SECTION 881
 ANTHONY F. PIPITO, AKA; et al.
 OCDE TASK FORCE - NARCOTICS
 OO: MILWAUKEE (245A-95)
 SEIZURE NUMBER: 3470-85-015
 SEIZING OFFICE: MILWAUKEE

PURPOSE: To provide the opinion of Legal Counsel
 Division (LCD) on whether the property
 described herein may be administratively forfeited.

RECOMMENDATION: That the Property Management Officer,
 Administrative Services Division, sign
 the Proclamation of Forfeiture for the described
 property as authorized by Title 21, Code of Federal
 Regulations (CFR), § 1316.77(b).

APPROVED:

Director _____

Exec AD-Adm. _____

Exec AD-Inv. _____

Exec AD-LES _____

Adm. Servs. _____
 Crim. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Legal Coun. _____

Off. of Cong. & Public Affs. _____

Rec. Mgnt. _____

Tech. Servs. _____

Training _____

SYNOPSIS AND DETAILS:

1. Property Summary

On 11/30/84 property described as 6,561
 shares of Telefonos De Mexico stock were seized for
 civil administrative forfeiture at Milwaukee,
 Wisconsin, pursuant to Title 21, United States Code
 (USC), § 881(a)(6).

2. Method of Seizure

incident to arrest;
 Title 21, USC, § 881(b)(1)

- 1 - [Redacted Box]
- 1 - [Redacted Box]
- 1 - Legal Forfeiture Unit

DVC:tke (4)

(CONTINUED - OVER)

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Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

- X incident to search under
a search warrant;
Title 21, U.S.C., § 881(b)(1)
- by seizure warrant;
Fed. R. Crim. P. 41(b)
- on probable cause to believe the
property is subject to civil or
criminal forfeiture under the
Controlled Substances Act;
Title 21, U.S.C., § 881(b)(4)
- by adoption

3. Facts Demonstrating the Illegal Use

Investigation revealed that the captioned subject trafficked in narcotics and distributed cocaine from his residence. The subject estimated his net annual profit from narcotics sales at \$1.2 million. The investigation failed to disclose any legitimate source of income and the subject [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] On 11/30/84 a Federal search warrant was executed at the subject's residence. In addition to over \$66,000 in cash, Agents seized over 19,000 shares of stock in Telefonos De Mexico. [REDACTED]

[REDACTED]
[REDACTED] and it is clear that he did so in an effort to launder his narcotics proceeds and avoid detection by law enforcement authorities. In an intercepted conversation between [REDACTED]

[REDACTED]

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b7c

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

4. Notice

A. Actual

Notice of the seizure has been sent by registered mail to the last known addresses of all known parties who may have a legal or possessory interest in the property. Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950).

B. Constructive

Notice of seizure for forfeiture has been published on 4/7/85, 4/14/85, and 4/21/85 in The Milwaukee Journal, Milwaukee, Wisconsin, describing the property and advising parties who wish to contest the forfeiture to file a claim and bond by 5/6/85. Title 19, USC, § 1607; Title 21, CFR, § 1316.75.

5. Claim and Bond

At least twenty days have elapsed since the date of first publication and no claim and bond have been received. Title 19, USC, § 1608; Title 21, CFR, § 1316.77.

6. Petition

----- A petition for remission or mitigation has been received.

 X No petition for remission or mitigation has been received.

7. Other Comments

None.

Memorandum from Legal Counsel to
Assistant Director, Administrative Services Division
Re: ADMINISTRATIVE FORFEITURE RECOMMENDATION

CONCLUSION

LCD recommends that the property described herein be declared forfeited since the following criteria have been met:

1. the property seized belongs to a class of property named as subject to forfeiture under the Controlled Substances Act and it falls within the jurisdictional monetary limits or is a prohibited article or transporting conveyance subject to administrative forfeiture in Title 19, U.S.C., Section 1607, and

2. the method of seizure is authorized, and

3. the facts demonstrate that the property was or was intended to be used in violation of the Act, and

4. reasonable notice has been given, and

5. twenty days have elapsed from the date of first publication in a newspaper of general circulation in the judicial district of seizure, and no claim and bond have been filed.

Memorandum



Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Legal Coun. _____ b6
 Off. Cong. & Public Affs. _____ b7C
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Telephone Rm. _____
 Director's Sec'y _____

To : [Redacted] *com/Rux*

Date 7/10/85

From : [Redacted]

Subject : ANTHONY F. PIPITO; ET AL
 OCDE TASK FORCE MATTER
 OO: MILWAUKEE

PURPOSE: To recommend that captioned file be placed in the Special File Room and be assigned the code word [Redacted]

RECOMMENDATIONS:

1. That the Records Management Supervisor place this file in the Special File Room.

APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. *BE/R* Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
 Exec. AD-Adm. _____ Ident. _____ Rec. Mgnt. *com/Rux*
 Exec. AD-Inv. _____ Inspection _____ Tech. Servs. _____
 Exec. AD-LES _____ Intell. _____ Training _____

2. That the code word [Redacted] be indexed and assigned to this investigation.

APPROVED: Adm. Servs. _____ Laboratory _____
 Crim. Inv. *BE/R* Legal Coun. _____
 Director _____ Off. of Cong. & Public Affs. _____
 Exec. AD-Adm. _____ Ident. _____ Rec. Mgnt. *com/Rux*
 Exec. AD-Inv. _____ Inspection _____ Tech. Servs. _____
 Exec. AD-LES _____ Intell. _____ Training _____

DETAILS: Captioned matter is a Group II undercover operation which will be utilizing the code word [Redacted]

A check of Bureau indices indicated no record in existence on the code word [Redacted]

Access to this file is limited to SSA of the OCS, CID.

1 - [Redacted]
 1 - [Redacted]
 1 - [Redacted]
 RAY:tms (8)

1 - [Redacted]
 1 - [Redacted]
 1 - [Redacted]
 1 - [Redacted]
 1 - USOU

2-25-87
 28 JUL 12 1985

b6
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JUN 30 1985

[Redacted]

RECEIVED 7/16/85
 100-66-17404

0.

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FEDERAL BUREAU OF INVESTIGATION
Records Systems/Services Sections

June 19, 1988

- ☐ Name Searching Unit, 4543, TL# 115
☒ ~~Service Unit, 4654, TL# 225~~
☐ Special File Room, 5991, TL# 122
☐ Forward to File Review, 5447, TL# 143
☐ Attention ☐
☒ Return to ☐ 3050, 231, 5705
Supervisor, Room, TL#, Ext.

b6
b7C

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
☐ Restricted Search (Active & Inactive Index - 5 & 30)
☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☐ All References (Subversive & Nonsubversive)
☐ Subversive Search
☐ Nonsubversive Search
☐ Main _____ References Only
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations
☐ Restricted to Locality of _____

b7E

Subject _____
 Birthdate & Place (Code Name)
 Address _____

Localities _____

R# _____ Date 6/23 Searcher _____
Initials GU

Prod. _____

FILE NUMBER

SERIAL

NE

Records Systems/Services Sections

June 14, 1985

☐ Name Searching Unit, 4543, TL# 115
☒ ~~Service Unit, 4654, TL# 225~~
☐ Special File Room, 5991, TL# 122
☐ Forward to File Review, 5447, TL# 143

☐ Attention

☒ Return to 3050, 231, 5705
supervisor, Room, TL#, Ext.

b6
b7C

Type of Search Requested: (Check One)

☐ Restricted Search (Active Index - 5 & 20)
☐ Restricted Search (Active & Inactive Index - 5 & 30)
☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

☐ All References (Subversive & Nonsubversive)
☐ Subversive Search
☐ Nonsubversive Search
☐ Main _____ References Only
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations
☐ Restricted to Locality of _____

Subject

Birthdate & Place

Address

Localities

R#

Date _____

6/15

Searcher
Initials

Prod.

FILE NUMBER

SERIAL

W.P.

NR

MR

Search ALL Ref unrestricted

FEDERAL BUREAU OF INVESTIGATION
Records Systems/Services Sections

June 14, 1985

- ☐ Name Searching Unit, 4543, TL# 115
☒ Service Unit, 4654, TL# 225
☐ Special File Room, 5991, TL# 122
☐ Forward to File Review, 5447, TL# 143
☐ Attention ☐
☐ Return to ☐ 3050 231 5

Supervisor, Room, TL#, Ext.

25-b6
b7C

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
☐ Restricted Search (Active & Inactive Index - 5 & 30)
☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☐ All References (Subversive & Nonsubversive)
☐ Subversive Search
☐ Nonsubversive Search
☐ Main _____ References Only
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations
☐ Restricted to Locality of _____

Subject _____
 Birthdate & Place _____ (Node Word)
 Address _____

b7E

Localities _____

R# _____ Date 6/18 Searcher _____
Initials WJH

Prod. _____

FILE NUMBER

SERIAL

NR

NR

NR

searched ALL Ref unre

☐ Name Searching Unit, 4543, TL# 115
☐ ~~Service Unit, 4654, TL# 225~~
☐ Special File Room, 5991, TL# 122
☐ Forward to File Review, 5447, TL# 143
☐ Attention _____
☒ Return to _____

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
☐ Restricted Search (Active & Inactive Index - 5 & 30)
☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☐ All References (Subversive & Nonsubversive)
☐ Subversive Search
☐ Nonsubversive Search
☐ Main _____ References Only
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations
☐ Restrict _____ Locality of _____

b7E

Subject _____
 Birthdate & Place _____ (Code Word)
 Address _____

Localities _____

R# _____ Date 6/18 Searcher _____
Initials [Signature]

Prod. _____

FILE NUMBER

SERIAL

NP

NP

NP'

Search ALL Ref unres

Memorandum



Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Legal Coun. _____
 Off. Cong. & Public Affs. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Telephone Rm. _____
 Director's Sec'y _____

To : Assistant Director
 Administrative Services Division Date JUL 25 1985
 Attn: Forfeiture and Seized Property Unit

From : *JMP* Legal Counsel

Subject : ADMINISTRATIVE FORFEITURE RECOMMENDATION
 TITLE 21, U.S.C., SECTION 881
 ANTHONY F. OPIPITO, aka; et al.
 OCDE TASK FORCE-NARCOTICS
 00: MILWAUKEE (245A-95)
 *SEIZURE NUMBER: 3470-85-029.
 SEIZING OFFICE: MILWAUKEE

PURPOSE: To provide the opinion of Legal Counsel Division (LCD) on whether the property described herein may be administratively forfeited.

RECOMMENDATION: That the Property Management Officer, Administrative Services Division, sign the Proclamation of Forfeiture for the described property as authorized by Title 21, Code of Federal Regulations (C.F.R.), § 1316.77(b).

APPROVED:

Director _____

Exec AD-Adm. _____

Exec AD-Inv. _____

Exec AD-LES _____

Adm. Servs. _____
 Crim. Inv. _____
 Laboratory _____
 Legal Coun. _____
 Off. of Cong. & Public Affs. _____
 Ident. _____
 Inspection _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Intell. _____
 Training _____

SYNOPSIS AND DETAILS:

1. Property Summary

On 11/30/84 property described as one (1) National Controls electronic scale, valued at \$2,250, was seized for civil administrative forfeiture at Milwaukee, Wisconsin pursuant to Title 21, United States Code (U.S.C.), § 881(a)(2).

2. Method of Seizure

incident to arrest;
 Title 21, U.S.C., § 881(b)(1)

117 DEC 2 1985

- 1 - [Redacted]
- 1 - [Redacted]
- 1 - Legal Forfeiture Unit

DNE:lmk (4)

(CONTINUED - OVER)

Memorandum from Legal Counsel to Assistant Director,
Administrative Services Division
Re: Administrative Forfeiture Recommendation

- X incident to search under
a search warrant;
Title 21, U.S.C., § 881(b)(1)
- by seizure warrant; Federal Rules
of Criminal Procedure 41(b)
- on probable cause to believe the
property is subject to civil or
criminal forfeiture under the
Controlled Substances Act;
Title 21, U.S.C., § 881(b)(4)
- by adoption

3. Facts Demonstrating the Illegal Use

Investigation revealed that the captioned subject was involved in cocaine trafficking and that he frequently sold cocaine out of his residence. In an intercepted conversation [REDACTED]

b3

[REDACTED]

On 11/30/84 a Federal search warrant was executed at the subject's residence. Among the items seized were \$66,337 in cash and the defendant scale. Electronic surveillance revealed that the subject cut and packaged cocaine in his residence and such a task would require the use of a scale. The defendant scale was used in the processing of cocaine in violation of the Controlled Substances Act and therefore subject to forfeiture.

Memorandum from Legal Counsel to Assistant Director,
Administrative Services Division
Re: Administrative Forfeiture Recommendation

4. Notice

A. Actual

Notice of the seizure has been sent by registered mail to the last known addresses of all known parties who may have a legal or possessory interest in the property. Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950).

B. Constructive

Notice of seizure for forfeiture has been published on 4/7/85, 4/14/85, and 4/21/85 in The Milwaukee Journal, Milwaukee, Wisconsin, describing the property and advising parties who wish to contest the forfeiture to file a claim and bond by 5/6/85. Title 19, U.S.C., § 1607; Title 21, C.F.R., § 1316.75.

5. Claim and Bond

At least twenty days have elapsed since the date of first publication and no claim and bond have been received. Title 19, U.S.C., § 1608; Title 21, C.F.R., § 1316.77.

6. Petition

_____ A petition for remission or mitigation has been received.

 X No petition for remission or mitigation has been received.

7. Other Comments

None.

Memorandum from Legal Counsel to Assistant Director,
Administrative Services Division
Re: Administrative Forfeiture Recommendation

CONCLUSION

LCD recommends that the property described herein be declared forfeited since the following criteria have been met:

1. the property seized belongs to a class of property named as subject to forfeiture under the Controlled Substances Act and it falls within the jurisdictional monetary limits or is a prohibited article or transporting conveyance subject to administrative forfeiture in Title 19, U.S.C., Section 1607, and

2. the method of seizure is authorized, and

3. the facts demonstrate that the property was or was intended to be used in violation of the Act, and

4. reasonable notice has been given, and

5. twenty days have elapsed from the date of first publication in a newspaper of general circulation in the judicial district of seizure, and no claim and bond have been filed.

ANTHONY F. PIPITO, AKA;
AL
OCDE Task Force - Narcotics
OO: MI (245A-95)

OUTSIDE SOURCE

August 2, 1985

REGISTERED RETURN RECEIPT

[Redacted]
[Redacted] Wisconsin 53202

Re: [Redacted]
FBI SEIZURE NO. 3470-85-028

Dear [Redacted]

Reference your letter of May 6, 1985,
enclosing a petition for remission or mitigation on
behalf of [Redacted]

This office has been advised that on June 12,
1985 the above-described currency was released from the
custody of the Federal Bureau of Investigation. In
view of the fact that the currency has been returned,
and that all issues regarding your claim appear to have
been resolved, this office will take no further action
regarding your petition for remission or mitigation.

Sincerely yours,

John A. Mintz
Assistant Director - Legal Counsel

By: Paul G. Donahue
Deputy Assistant Director

- 1 - Milwaukee
Attention: Forfeiture Analyst (245A-95)
1 - [Redacted]
1 - [Redacted]
1 - Legal Forfeiture Unit

NOTE: By teletype dated 6/14/85, Milwaukee reported
that the defendant currency had been quick released on
6/12/85.

DMC: [Redacted] (6)

3 1985

DEC 3 1985

MAIL ROOM

b6
b7C

b6
b7C

Memorandum



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. &
Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

To : Assistant Director
Administrative Services Division Date AUG 2 1985
Attn: Forfeiture and Seized Property Unit

From : Legal Counsel *[Signature]*

Subject : ADMINISTRATIVE FORFEITURE RECOMMENDATION
TITLE 21, U.S.C., SECTION 881
ANTHONY F. PIPITO, aka; et al.
OCDE TASK FORCE - NARCOTICS
OO: MILWAUKEE (245A-95)
~~*SEIZURE NUMBER: 3470-85-028~~
SEIZING OFFICE: MILWAUKEE

PURPOSE: To provide the opinion of Legal Counsel
Division (LCD) on whether the property
described herein may be administratively forfeited.

RECOMMENDATION: That the Property Management Officer,
Administrative Services Division, sign
the Proclamation of Forfeiture for the described
property as authorized by Title 21, Code of Federal
Regulations (C.F.R.), § 1316.77(b).

APPROVED:

Director _____
Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____

Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Inspection _____
Intell. _____

Laboratory _____
Legal Coun. _____
Off. of Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____

SYNOPSIS AND DETAILS:

1. Property Summary

On 11/30/84 property described [redacted] in
U.S. currency was seized for civil administrative
forfeiture at Glendale, Wisconsin, pursuant to Title
21, United States Code (U.S.C.), § 881(a)(6).

2. Method of Seizure

[Signature] incident to arrest;
Title 21, U.S.C., § 881(b)(1)

1 - [redacted]
1 - [redacted]
1 - Legal Forfeiture Unit

DMC:lmk (4)

(CONTINUED - OVER)

Memorandum from Legal Counsel to Assistant Director,
Administrative Services Division
Re: Administrative Forfeiture Recommendation

- X incident to search under
a search warrant;
Title 21, U.S.C., § 881(b)(1)
- by seizure warrant;
Fed. R. Crim. P. 41(b)
- on probable cause to believe the
property is subject to civil or
criminal forfeiture under the
Controlled Substances Act;
Title 21, U.S.C., § 881(b)(4)
- by adoption

3. Facts Demonstrating the Illegal Use

Investigation revealed that the captioned subject was a narcotics trafficker and that he distributed cocaine from his residence. Various investigative techniques revealed that [redacted] was part of the subject's narcotics operation. In an intercepted conversation,

[redacted]
[redacted] Investigation failed to
reveal [redacted]
[redacted] On 11/30/84 a Federal
search warrant was executed at [redacted] Agents
seized [redacted]

[redacted]
[redacted] In addition, [redacted]
[redacted]

[redacted] Also located
at the residence at the time of the search [redacted]
[redacted] The Immigration and Naturalization
Service (INS) identified [redacted]

[redacted] An analysis
of the money seized at the residence revealed one
latent fingerprint of [redacted] on a twenty
dollar bill. When interviewed on the day of the
seizure, [redacted]

b3
b6
b7C

Memorandum from Legal Counsel to Assistant Director,
Administrative Services Division
Re: Administrative Forfeiture Recommendation

[redacted] indicated that he [redacted]
[redacted] Following additional
investigation the Milwaukee Division quick released the
[redacted] Based on the
above facts and circumstances there is probable cause
to believe that the defendant currency is proceeds from
the captioned subject's narcotics operation.

b6
b7c

4. Notice

A. Actual

Notice of the seizure has been sent by
registered mail to the last known addresses of all
known parties who may have a legal or possessory
interest in the property. Mullane v. Central Hanover
Bank & Trust Co., 339 U.S. 306 (1950).

B. Constructive

Notice of seizure for forfeiture has been
published on 4/29/85, 5/6/85, and 5/13/85 in The
Milwaukee Journal, Milwaukee, Wisconsin, describing the
property and advising parties who wish to contest the
forfeiture to file a claim and bond by 5/20/85. Title
19, U.S.C., § 1607; Title 21, C.F.R., § 1316.75.

5. Claim and Bond

At least twenty days have elapsed since the
date of first publication and no claim and bond have
been received. Title 19, U.S.C., § 1608; Title 21,
C.F.R., § 1316.77.

6. Petition

 X A petition for remission or mitigation
has been received.

 No petition for remission or
mitigation has been received.

7. Other Comments

None.

- 3 -

(CONTINUED - OVER)

Memorandum from Legal Counsel to Assistant Director,
Administrative Services Division
Re: Administrative Forfeiture Recommendation

CONCLUSION

LCD recommends that the property described herein be declared forfeited since the following criteria have been met:

1. the property seized belongs to a class of property named as subject to forfeiture under the Controlled Substances Act and it falls within the jurisdictional monetary limits or is a prohibited article or transporting conveyance subject to administrative forfeiture in Title 19, U.S.C., Section 1607, and

2. the method of seizure is authorized, and

3. the facts demonstrate that the property was or was intended to be used in violation of the Act, and

4. reasonable notice has been given, and

5. twenty days have elapsed from the date of first publication in a newspaper of general circulation in the judicial district of seizure, and no claim and bond have been filed.

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 8/23/85

TO: DIRECTOR, FBI
 (ATTENTION: FBI LABORATORY, SPECIAL PROJECTS
 SECTION, ROOM 1B224,)

FROM: SAC, MILWAUKEE (245A-95) (P)

ANTHONY F. PIPITO;
 ET AL;
 NARCOTICS MATTER
 OCDE DRUG TASK FORCE
 OO: MILWAUKEE

Re Milwaukee airtel to Bureau, dated 8/16/85.

Submitted under separate enclosure is a diagram showing the following streets and buildings:

Prospect Avenue; Brady Street; Farwell Avenue;
 Warren; Albion

DIAMOND TOWER CONDOMINIUMS; SHOP RITE FOODS; DEL MONDO
 RISTORANTE; SARDINO'S (Restaurant); public telephone

The FBI Laboratory, Special Projects Section is requested to prepare the following:

Prepare a 3" x 4" diagram as a visual aid for a trial jury incorporating the streets and buildings as shown on the current diagram submitted by the Milwaukee Office. The measurements on the submitted drawing are for the benefit of the lab and are not to be reproduced on the 3" x 4" diagram. Also, the Special Projects Section is requested to disregard the diagram submitted with the airtel dated 8/16/85.

③ - Bureau
 2 - Milwaukee (245A-95)
 DSR:sms
 (5) 53 NOV 2 1985

ice 1B224 SPS
 8/26/85

SEP 10 1985

Approved: Hew

Transmitted

(Number)

(Time)

Per

TRANSMIT VIA: _____

CLASSIFICATION: Airtel
UnclassDATE: 8/30/85

FROM:

Director, FBI

TO:

CAC, Milwaukee (245A-95)

AUTHOR: P. PIPER;ET AL;MARCOPUS MATTERCCDE /RUG TASK FORCECG: MILWAUKEE

Re _____

There is (are) being forwarded to 8/23/85

your office

Attn: CA b6
b7c

by _____

the following 4289-607-3221 - 40" x 60" trial exhibit

prepared by Special Projects Section, Laboratory Division, re captioned matter.

The following action should be taken by your office:

TRIAL EXHIBITS OR OTHER VISUAL AIDS

- ☐ Check the above items against submitted work papers or roughs.
- ☐ Advise FBIHQ, attention Special Projects Section, Laboratory Division, (within ninety-days), re the use and effectiveness of these items, including all pertinent comments.

ARTIST'S CONCEPTIONS OR RETOUCED PHOTOGRAPHS

- ☐ Have witness(es) view item(s) for evaluation.
- ☐ If modification is necessary, submit additional information and any pertinent comments of witness(es) to FBIHQ, Special Projects Section, Laboratory Division.
- ☐ Advise (within ninety-days) re the use and effectiveness of the above items. Upon apprehension of subject(s), submit arrest photographs.

53 OCT 30 1985

7 SEP 11 1985

Reference material received with your airtel being returned in package.

1 - package

EK:hmk
(5)MAIL ROOM ☐ RSG/R/H

FBI/DOJ

MAILED 13

AUG 30 1985

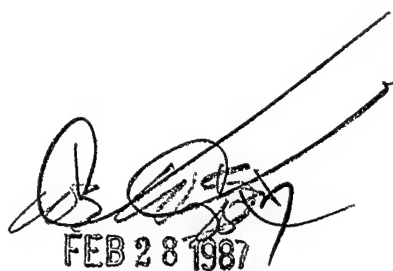
FBI

245-764-22

23

183-8491-X6
-X3

CHANGED TO


FEB 28 1987

KG / Qum

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 8/16/85

TO: DIRECTOR, FBI
 (ATTENTION: FBI LABORATORY, SPECIAL PROJECTS SECTION,
 ROOM 1B224, [REDACTED])

FROM: SAC, MILWAUKEE (245A-95) (P)

SUBJECT: ANTHONY F. PIPITO,
 ET AL,
 NARCOTICS MATTER
 OO: MILWAUKEE

For information of the FBI Laboratory, an investigation into a cocaine business operated by ANTHONY F. PIPITO was conducted in the fall of 1984. Pursuant to the investigation, extensive surveillance was conducted resulting in the identification of pertinent residences and drop sites.

Trial in this case is scheduled to begin on September 9, 1985. It is anticipated that the government will introduce evidence regarding specific residences and drop sites. Those locations have been noted on a hand drawn map which is enclosed. Also enclosed is a commercial map of the geographical area in question.

REQUEST OF THE BUREAU

The FBI Laboratory, Special Projects Section is requested to:

Will use the enclosed maps to make an enlarged diagram that can be used at trial by the prosecution as a visual aid to the jury. Only the streets on the hand drawn map need be shown on the diagram.

③-Bureau (Enc. 2)
 2-Milwaukee (245A-95)
 DSR/cab
 (5)

ENCLOSURE

22x encls
 1B224 SPS
 8/20/85
 #854901

24-761-24
32 AUG 19 1985Approved: Hew/paf

Transmitted _____ (Number) _____ (Time)

Per _____

4 OCT 28 1985

b6
b7c

017 to Milwaukee 8-16-85

245-764-26

CHANGED TO

183-8491-X2


FEB 23 1987

KJ / RUm

Memorandum



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

To : Assistant Director
Administrative Services Division Date JUL 15 1985
Attn: Forfeiture and Seized Property Unit

From : Legal Counsel

Subject : ADMINISTRATIVE FORFEITURE RECOMMENDATION
TITLE 21, U.S.C., SECTION 881
ANTHONY F. PIPITO, aka; et al.
OCDE TASK FORCE - NARCOTICS
OO: MILWAUKEE (245A-95)
SEIZURE NUMBER: 3470-85-003
SEIZING OFFICE: MILWAUKEE

PURPOSE: To provide the opinion of Legal Counsel
Division (LCD) on whether the property
described herein may be administratively forfeited.

RECOMMENDATION: That the Property Management Officer,
Administrative Services Division, sign
the Proclamation of Forfeiture for the described
property as authorized by Title 21, Code of Federal
Regulations (C.F.R.), § 1316.77(b).

APPROVED:

Adm. Servs. _____ Laboratory _____
Crim. Inv. _____ Legal Coun. _____
Director _____ Off. of Cong. & Public Affs. _____
Exec AD-Adm. _____ Ident. _____ Rec. Mgnt. _____
Exec AD-Inv. _____ Inspection _____ Tech. Servs. _____
Exec AD-LES _____ In'tell. _____ Training _____

SYNOPSIS AND DETAILS:

1. Property Summary

On 11/30/84 property described as a 1981
Cadillac Seville, VIN 1G6AS6992BE687168, valued at
\$14,650, was seized for civil administrative forfeiture
at Glendale, Wisconsin, pursuant to Title 21, United
States Code (U.S.C.), § 881(a)(4).

2. Method of Seizure

incident to arrest;
Title 21, U.S.C., § 881(b)(1)

- 1 - [Redacted]
- 1 - [Redacted]
- 1 - Legal Forfeiture Unit

DMC:kia (4)

(CONTINUED - OVER)

b6
b7C

64 DEC 23 1985

FBI/DOJ

Memo from LCD to AD, ASD

Re: Administrative Forfeiture Recommendation, Title 21,
U.S.C., § 881

- _____ incident to search under
a search warrant;
Title 21, U.S.C., § 881(b)(1)
- X by seizure warrant;
Fed. R. Crim. P. 41(b)
- _____ on probable cause to believe the
property is subject to civil or
criminal forfeiture under the
Controlled Substances Act;
Title 21, U.S.C., § 881(b)(4)
- _____ by adoption

3. Facts Demonstrating the Illegal Use

Investigation revealed that the captioned
subject was involved in cocaine trafficking and that he
frequently sold cocaine out of his residence. In an
intercepted conversation,

b3
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b7C

Memo from LCD to AD, ASD
Re: Administrative Forfeiture Recommendation, Title 21,
U.S.C., § 881

[redacted]
[redacted] Subsequent
surveillance and intercepts revealed [redacted]
[redacted]
[redacted] Based on the facts and circumstances
outlined above there is probable cause to believe that
[redacted]

b3
b6
b7C

4. Notice

A. Actual

Notice of the seizure has been sent by registered mail to the last known addresses of all known parties who may have a legal or possessory interest in the property. Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950).

B. Constructive

Notice of seizure for forfeiture has been published on 4/7/85, 4/14/85 and 4/21/85 in The Milwaukee Journal, Milwaukee, Wisconsin, describing the property and advising parties who wish to contest the forfeiture to file a claim and bond by 5/6/85. Title 19, U.S.C., § 1607; Title 21, C.F.R., § 1316.75.

5. Claim and Bond

At least twenty days have elapsed since the date of first publication and no claim and bond have been received. Title 19, USC, § 1608; Title 21, C.F.R., § 1316.77.

6. Petition

 X A petition for remission or mitigation has been received.

 No petition for remission or mitigation has been received.

Memo from LCD to AD, ASD
Re: Administrative Forfeiture Recommendation, Title 21,
U.S.C., § 881

7. Other Comments

None.

CONCLUSION

LCD recommends that the property described herein be declared forfeited since the following criteria have been met:

1. the property seized belongs to a class of property named as subject to forfeiture under the Controlled Substances Act and it falls within the jurisdictional monetary limits or is a prohibited article or transporting conveyance subject to administrative forfeiture in Title 19, U.S.C., Section 1607, and

2. the method of seizure is authorized, and

3. the facts demonstrate that the property was or was intended to be used in violation of the Act, and

4. reasonable notice has been given, and

5. twenty days have elapsed from the date of first publication in a newspaper of general circulation in the judicial district of seizure, and no claim and bond have been filed.



FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

REPORT

of the

LATENT FINGERPRINT SECTION IDENTIFICATION DIVISION

YOUR FILE NO. 245A-95 (Sub MM, AAA, HHH) (P) 7/30/85
 FBI FILE NO. 12-9808
 LATENT CASE NO. C-41888

TO: SAC, Milwaukee

RE: ^① ANTHONY F. PIPITO, aka;
 ET AL;
 NARCOTICS MATTER
 OCDETF CASE

REFERENCE: Airtel 6/7/85
 EXAMINATION REQUESTED BY: Milwaukee
 SPECIMENS: Major case prints of [redacted]

The unidentified latent prints previously reported in the captioned case are not the finger and palm prints of the four individuals whose prints were submitted.

The major case prints are enclosed.

Enc. (28)

RDD:aaw
 (4)

AUG 12 1985

MAIL ROOM ☐

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

b6
 b7C

MAILED 2

JUL 29 1985

FBI

JUN 26 1987

copy to [unclear]

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 6/27/85 cdc

Reference No: 245A-95 (Sub MM, AAA, HHH)

Received: 6/13/85

FBI File No: ~~12-9808~~ 245-7647-26X1 (P)

Latent Case No: C-41888

Answer to: SAC, Milwaukee

Examination requested by: Addressee

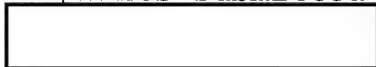
Copy to:

RE: ANTHONY F. PIPITO, AKA;
ET AL;
NARCOTICS MATTER
OCDE TASK FORCE CASE

Date of reference communication: Airtel 6/7/85

Specimens:

Major case prints submitted of suspects:

pts. ret. - no charges
3 on civil cards -FBI # 02
WLDb6
b7C~~Palm prints submitted of subject: (not mentioned in reairtel)~~

Result of examination:

Examination by: Drayer

Evidence noted by:

[Milwaukee file # 245A-95 sub MM, AAA, HHH (P)
prev. carried as 12A-211. per call to Milwaukee 6/28/85
KCC]

7-3

reg CTR -
sent for jackets

7-5

remaining unidentified lat. pts (79 fpts & 21 PP's) not fgt PP above.

Specs enc

Enc (28)

Examination completed

12:30
Time7-8-85
Date

Dictated

7-8-85
Dateencs 7/30/85
Raj/low
FBI/DOJ

CLASS 130 13000 10
I 18000 I

b6
b7C

[illegible]

1521ma-5-055

LAW OFFICES
CUNNINGHAM LYONS STEELE & CRAMER, S.C.
FOURTH FLOOR
207 EAST MICHIGAN STREET
MILWAUKEE, WISCONSIN 53202
(414) 271-4655

~~OUTSIDE SOURCE~~

August 1, 1985

Director
Federal Bureau of Investigation
9th Street & Pennsylvania Avenue NW
Washington, DC 20535

Attention: Administrative Services Division,
Forfeiture and Seized Property Unit

RE: [REDACTED]
FBI Seizure No. 3470-85-003

b6
b7c

Dear Sir:

I am in receipt of your July 15, 1985 notice indicating that the petition for remission or mitigation of the forfeiture of the above described vehicle is granted. However, we take issue with [REDACTED] but nevertheless request return of the seized vehicle.

I have written to your office previously on July 22, 1985 requesting to be contacted. Our objection is to the appraised value as well as the demand for prepayment in the amount of \$3,849.20.

May we please hear from you in this regard.

Thank you.

Sincerely,

CUNNINGHAM LYONS STEELE & CRAMER, S.C.

[REDACTED]

b6
b7c

CRS:mfg

cc: Mitchell Street State Bank

53 DEC 12 1985

ACK by letter
dated 9/3/85
DNC: bpr

9-1268

8

SAC, Milwaukee
ATTENTION: FORFEITURE ANALYST

Reference Milwaukee seizure of One National Controls
Electronic Scale, Seizure Number 3470-35-029.

It is requested that Milwaukee forward the Electronic Scale to the Forfeiture and Seized Property Unit (FSPU), Room 6849, Property Procurement and Management Section, Administrative Services Division, for disposition. In doing so, please insure that the appropriate Inventory Data Record Form (FD-513) is executed for this property.

~~DE-115-9805-1771~~

245-764-27X
23 JUL 27 1963

Enclosure

1

1

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NOTE: Milwaukee is to forward one National Controls Electronic Scale to the FSPU, ASD, and execute appropriate FD-513.

~~53 DEC 18 1969~~

UN 26 1987

MAIL ROOM ☒

470 0 1 54 11.22

1990

91 (5-19-55)

☐ Abstract Request

☒ Mail Request

FD634 MI

12-9808-192

WUN 26 1987

date 8-7-85

Changed to

245-764-27X1

(SBC)

Re: ANTHONY F. PIPITO

KJ

Consolidation Unit
FBI/DOJ

COPY OF MAIL REQUEST FOR THIS SERIAL IS PLACED IN FILE IN LIEU
OF THE MAIL WHICH HAS NOT BEEN LOCATED.

Anthony F. Pipito, aka;
E+AL
OCDE Task Force - Narcotics
OO: MI (245A-95)

September 3, 1985

REGISTERED RETURN RECEIPT

OUTSIDE SOURCE

1 - [redacted]
1 - [redacted]
1 - Legal Forfeiture
Unit

b6
b7c

WI 53202

Re:

FBI SEIZURE NUMBER 3470-85-003

Dear [redacted]

Reference your letter of August 1, 1985.

This office is not in receipt of your letter of July 22, 1985 and was therefore not aware of your desire to be contacted. Pursuant to Title 19, United States Code (U.S.C.), Section 1606, and Title 21, Code of Federal Regulations (C.F.R.), Section 1316.74, the Federal Bureau of Investigation (FBI) is authorized to appraise property seized for forfeiture to determine its domestic retail value at the time and place of seizure. A review of the appraised value of [redacted] revealed that it is within acceptable limits and is not subject to revision. It is noted that the petitioner asserted the [redacted] in its petition for remission or mitigation. The difference between the FBI's appraisal and the petitioner's appears to be minimal at best and does not warrant further consideration.

A lienholder's net equity, or recognized financial interest, is calculated based on an established formula. Net equity is defined at Title 28, C.F.R., Section 9.2(d) and does not include unearned finance or interest charges, unearned

Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Insp. ____
Intell. ____
Lab. ____
Legal Coun. ____
Off. Cong. &
Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Telephone Rm. ____
Director's Sec'y ____

MAIL ROOM ☒

See note page 2

3 DEC 12 1985

DE-65

V-20

245-764-28

bpc:bpr
(5)

Done
9-10-85

[redacted]

service contract or extended warranty charges, dealer's reserve, penalties, attorney's fees or other similar charges. The petitioner's net equity [redacted]

[redacted] As a result, if the petitioner wants to recover the vehicle, it will be required to pay the FBI the Government's interest of [redacted]. This amount must be remitted to the Director, Federal Bureau of Investigation, 9th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20535, Attention: Forfeiture and Seized Property Unit, Administrative Services Division, by September 23, 1985 or the vehicle will be referred to the United States Marshals Service for disposition.

Please note that a petition for remission or mitigation is an equitable remedy, not a legal one, and the Government may establish such requirements, procedures and conditions as is necessary to carry out its statutory authority.

Sincerely yours,

John A. Mintz
Executive Assistant Director -
Administration

NOTE: On 8/9/85 Forfeiture Analyst [redacted] Milwaukee Division, advised that no letter dated July 22, 1985 from the addressee had been received in Milwaukee. Also on 8/9/85 Forfeiture Analyst [redacted] Forfeiture and Seized Property Unit, Administrative Services Division, advised that the letter had not been received in her office. On 8/28/85 AUSA [redacted] Milwaukee, Wisconsin advised that the petitioner's representative is seeking a temporary restraining order to prevent the sale of the defendant vehicle. AUSA [redacted] stated that he will attempt to settle the matter by discussing the forfeiture process with the petitioner's attorney.

APPROVED:	Adm. Servs. _____	Laboratory _____
	Crim. Inv. _____	Legal Coun. _____
Director _____		Off. of Cong. & Public Affs. _____
Exec. AD-Adm. _____	Ident. _____	Rec. Mgnt. _____
Exec. AD-Inv. _____	Inspection _____	Tech. Serv. _____
Exec. AD-LES _____	Intell. _____	Training _____

03 2330126

Q

I

R 210125Z AUG 85

MILWAUKEE (245A-95 SUB P)(P)

DIRECTOR (245-764)ROUTINE

Off. of
Adm. Serv.
Rec. Mgmt.
Tech. Serv.
Training
Telephone Rm.
Director's Sec'y

b6
b7c

CLASS E F T O

ANTHONY F. PIPITO; ET AL; NARCOTICS MATTER; OCDE TASK FORCE CASE;

MILWAUKEE

TRIAL IN THE CAPTIONED MATTER IS SCHEDULED TO BEGIN ON SEPT. 9, 1985, AND COULD LAST AS LONG AS FOUR WEEKS.

IT IS ANTICIPATED THAT EXPERT TESTIMONY REGARDING LATENT FINGERPRINTS AND PALM PRINTS LIFTED FROM ITEMS SEIZED PURSUANT TO FEDERAL SEARCH WARRANTS WILL BE NEEDED THE WEEK OF SEPT. 16, 1985. REQUEST OF THE BUREAU:

THE LATENT FINGERPRINT SECTION IS REQUESTED TO HAVE

TRAVEL TO MILWAUKEE TO PROVIDE EXPERT TESTIMONY ON SEPT. 16, 1985.

b6
b7c

245-764-29

17 AUG 29 1985

53 NOV 5 1985

cc- Identification Div

MI0212 249112Z

RR HQ

DE MI

R 061120Z SEP 85

LWAUKEE (245A-95 SUB P) (P)

TO DIRECTOR (245-764) ROUTINE

BT

UNCLAS E F T O

ANTHONY F. PIPITO, ET AL; NARCOTICS MATTER; OCDE TASK FORCE

CC: MILWAUKEE

RE MITEL TO THE BUREAU, AUG. 22, 1985.

TRIAL IN THE CAPTIONED MATTER HAS BEEN DELAYED.

ALTHOUGH NO FIRM NEW TRIAL DATE HAS BEEN SPECIFIED BY THE PRESIDING FEDERAL JUDGE, HE HAS SCHEDULED A PRETRIAL CONFERENCE FOR SEPT. 13, 1985. THEREFORE, CONSIDERING A DEFENSE COUNSEL REQUEST FOR A RECESS ON SEPT. 16-17, 1985, JEWISH HOLIDAYS, THE EARLIEST DATE THAT THE TRIAL COULD BEGIN IS SEPT. 18, 1985.

IN ANTICIPATION THAT THE TRIAL WILL, IN FACT, BEGIN ON SEPT. 18, 1985, THE LATENT FINGERPRINT SECTION IS REQUESTED TO HAVE [REDACTED]

[REDACTED] TRAVEL TO MILWAUKEE TO PROVIDE EXPERT TESTIMONY ON SEPT. 25, 1985.

1985.

BT

RECEIVED
TELETYPE UNIT

62-11182

Exec AD Adm.	
Exec AD Inv.	
Exec AD LES	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Telephone Rm.	
Director's Sec'y	

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245-264-30

SEP 12 1985

10932

245-764-31

32

33

183-8491-X4

-X7

-X5

CHANGED TO

103 ~~Q17~~
FEB 26 1987
Kg / RLM

ACCOMPLISHMENT REPORT (Effective 10/1/84)

(Submit within 30 days from date of accomplishment)

Date August 30, 1985

TO: DIRECTOR, FBI

FROM: SAC, MILWAUKEE (P)

SUBJECT:

ANTHONY F. PIPITO;
ET AL;
NARCOTICS MATTER;
OCDE TASK FORCE CASE

(OO: MILWAUKEE)

245-764

Bureau File Number

245-A-95

Field Office File Number

2

Squad or RA Number

Agent's Social Security No.

☒ X if a joint operation with another Federal, State or Local LE agency **☐ X if case involves corruption of a public official (Federal, State or Local).

Investigative Assistance or Technique Used

Were any of the investigative assistance or techniques listed below used in connection with accomplishment being claimed? ☐ No ☒ Yes - If Yes, rate each used as follows:

- 1 = Used, but did not help
2 = Helped, but only minimally
3 = Helped, substantially
4 = Absolutely essential

16. Show Money Usage Rating

b7E

1. Acctg Tech Assistance	Rating	6. ELSUR - Title III	Rating	11. Lab. Div. Field Supp	Rating	17. Surveill. Sqd Asst
2. Aircraft Assistance		7. Hypnosis Assistance		12. Pen Registers		18. SWAT Team Action
3. Computer Assistance		8. Ident Div Assistance		13. Photograph Coverage		19. Telephone Toll Records
4. Consensual Monitoring		9. Informant Informatic		14. Polygraph Assistance		20. Undercover Operation
5. ELSUR - FISC		10. Lab Div Exams		15. Search War Executed		21. Visual Invest - Analysis (VIA)

A. Preliminary Judicial Process (Number of subjects)	Complaints	Informations	Indictments	D. Recoveries, Restitutions, Court Ordered Forfeitures or Potential Economic Loss Prevented (PELP)
B. Arrests, Locates, Summonses & Subpoenas (No. of subjects)	-Subject Priority (See Reverse)			Property or PELP Type Code
FBI Arrests	A	B	C	Recoveries
FBI Locates				Restitutions
Number of Subjects of FBI Arrests Who Physically Resisted				Court Ordered Forfeitures
Number of Subjects of FBI Arrests Who Were Armed				Potential Economic Loss Prevented
Criminal Summons				
Subpoenas Served				
C. Release of Hostages or Children Located: (Number of Hostages or Children Located)	E. Civil Matters			
Hostages Held By Terrorists	Government Defendant			
Missing or Kidnaped Children Located	Government Plaintiff			
	Amount of Suit			
	Settlement or Award			

F. Final Judicial Process:	Judicial District	Dates	Convictions (or Final Judicial Process) Date	Sentence Date
Subject 1 - Name -	District	State		

<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction Title Section Counts	Combined Sentence In-Jail Term Suspended Probation Yrs Mos Yrs Mos Yrs Mos Total Fines
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Subject 2 - Name -	-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction Title Section Counts	Combined Sentence In-Jail Term Suspended Probation Yrs Mos Yrs Mos Yrs Mos Total Fines
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Subject 3 - Name -	-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction Title Section Counts	Combined Sentence In-Jail Term Suspended Probation Yrs Mos Yrs Mos Yrs Mos Total Fines
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Attach additional forms if reporting final judicial process on more than three subjects, and submit a final disposition form (R-84) for each subject.

Remarks: Item listed in Section D was seized at the residence of [redacted] Wisconsin, on November 30, 1984, pursuant to a Federal search warrant. Declaration of Forfeiture executed August 8, 1985.

1 - Chicago (245-1 Sub C) (Attn: North Central Task Force Coordinator)

3 - Bureau (1 - 245-A-95) (1 - 66-682 Sub A)

*See codes on reverse side. Subject description codes in Section F are required only when reporting a conviction.

**In joint operations, identify the other Federal, State or Local Law Enforcement (LE) agency in the Remarks Section.

PJE/dgr (6)

ACCOMPLISHMENT REPORT (Effective 10/1/84)

(Submit within 30 days from date of accomplishment)

Date August 28, 1985

TO: DIRECTOR, FBI

FROM: SAC, MILWAUKEE (P)

SUBJECT:

ANTHONY F. PIPITO;
ET AL;
NARCOTICS MATTER
OCDE TASK FORCE CASE

(OO: MILWAUKEE)

245-764

Bureau File Number

245-A-95

Field Office File Number

2

Squad or RA Number

Agent's Social Security No.

☒ X if a joint operation with another Federal, State or Local LE agency **

☐ X if case involves corruption of a public official (Federal, State or Local).

Investigative Assistance or Technique Used

Were any of the investigative assistance or techniques listed below used in connection with accomplishment being claimed? ☐ No ☒ Yes - If Yes, rate each used as follows:

- 1 = Used, but did not help
2 = Helped, but only minimally
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16. Show Money Usage Rating

b7E

1. Acctg Tech Assistance	Rating	6. ELSUR - Title III	Rating	11. Lab. Div. Field Support	Rating	17. Surveill. Sqd Asst	Rating
2. Aircraft Assistance		7. Hypnosis Assistance		12. Pen Registers		18. SWAT Team Action	
3. Computer Assistance		8. Ident Div Assistance		13. Photographic Coverage		19. Telephone Toll Records	
4. Consensual Monitoring		9. Informant Information		14. Polygraph Assistance		20. Undercover Operation	
5. ELSUR - FISC		10. Lab Div Exams		15. Search Warr Executed		21. Visual Invest - Analysis (VIA)	

A. Preliminary Judicial Process (Number of subjects)		Complaints	Informations	Indictments	D. Recoveries, Restitutions, Court Ordered Forfeitures or Potential Economic Loss Prevented (PELP)			
B. Arrests, Locates, Summonses & Subpoenas (No. of subjects)		Subject Priority (See Reverse)			Property or PELP Type Code	Recoveries	Restitutions	Potential Economic Loss Prevented
FBI Arrests		A	B	C	1	\$	\$	\$ 66,337.00
FBI Locates -					2	\$	\$	\$ 9,930.03
Number of Subjects of FBI Arrests Who Physically Resisted _____						\$	\$	\$
Number of Subjects of FBI Arrests Who Were Armed _____						\$	\$	\$
Criminal Summons _____						\$	\$	\$
Subpoenas Served _____						\$	\$	\$
C. Release of Hostages or Children Located: (Number of Hostages or Children Located)					E. Civil Matters			
Hostages Held By Terrorists _____; All Other Hostage Situations _____					Government Defendant		Government Plaintiff	
Missing or Kidnaped Children Located _____					\$		\$	
					Amount of Suit			
					Settlement or Award		\$	
					Enter AFA Payment Here			

F. Final Judicial Process: Judicial District _____		District _____ State _____		Dates _____		Convictions (or Final Judicial Process) Date _____		Sentence Date _____																																					
Subject 1 - Name _____ Subject's Description Code* _____																																													
<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal		-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.		<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial		Conviction <table border="1"> <tr> <th>Title</th> <th>Section</th> <th>Counts</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>		Title	Section	Counts													Combined Sentence <table border="1"> <tr> <th colspan="2">In-Jail Term</th> <th colspan="2">Suspended</th> <th colspan="2">Probation</th> <th rowspan="2">Total Fines</th> </tr> <tr> <th>Yrs</th> <th>Mos</th> <th>Yrs</th> <th>Mos</th> <th>Yrs</th> <th>Mos</th> </tr> <tr> <td> </td><td> </td> <td> </td><td> </td> <td> </td><td> </td> <td>\$</td> </tr> </table>			In-Jail Term		Suspended		Probation		Total Fines	Yrs	Mos	Yrs	Mos	Yrs	Mos							\$
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Subject 2 - Name _____ Subject's Description Code* _____																																													
<input type="checkbox"/> Pretrial <input type="checkbox"/> Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal		-Convictions- Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant. Do not report conviction until sentence has been pronounced.		<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial		Conviction <table border="1"> <tr> <th>Title</th> <th>Section</th> <th>Counts</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>		Title	Section	Counts													Combined Sentence <table border="1"> <tr> <th colspan="2">In-Jail Term</th> <th colspan="2">Suspended</th> <th colspan="2">Probation</th> <th rowspan="2">Total Fines</th> </tr> <tr> <th>Yrs</th> <th>Mos</th> <th>Yrs</th> <th>Mos</th> <th>Yrs</th> <th>Mos</th> </tr> <tr> <td> </td><td> </td> <td> </td><td> </td> <td> </td><td> </td> <td>\$</td> </tr> </table>			In-Jail Term		Suspended		Probation		Total Fines	Yrs	Mos	Yrs	Mos	Yrs	Mos							\$
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Attach additional forms if reporting final judicial process on more than three subjects, and submit a final disposition form (R-84) for each subject.

Remarks:

Items listed in Section D were seized at the residence of ANTHONY F. PIPITO, Apartment 10-A, 1633 North Prospect Avenue, Milwaukee, Wisconsin, on November 30, 1984, pursuant to a Federal search warrant.

53 FEB 4 1986

1 - Chicago (245-1 Sub C) (Attn: North Central Task Force Coordinator)
 1 - 245-A-95 (1 - 12-23 Sub K) (1 - 66-

Bureau
Field Office

*See codes on reverse side. Subject description codes in Section F are required only when reporting a conviction.

**In joint operations, identify the other Federal, State or Local Law Enforcement (LE) agency in the Remarks Section.

PJE/dgr (6)

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b7C

MI 245-A-95

Description of items seized and value assessed as follows:

Cash in the amount of \$66,337.00
Proclamation of Forfeiture executed July 17, 1985

Stock certificates - 6,000 shares in Denning Mobile Robotics valued at \$0.31 per share = \$1,860.00
Proclamation of Forfeiture executed July 17, 1985

Stock certificates - 6,561 shares in Telefonos De Mexico at \$0.41 per share = \$2,690.01
Proclamation of Forfeiture executed July 17, 1985

Stock certificates - 6,561 shares in Telefonos de Mexico at \$0.41 per share = \$2,690.01
Proclamation of Forfeiture executed August 5, 1985

Stock certificates - 6,561 shares in Telefonos de Mexico at \$0.41 per share - \$2,690.01
Proclamation of Forfeiture executed July 17, 1985

All of the above items subject to forfeiture under Title 21, United States Code, Section 881.